

# **Columbus City Bulletin**



**Bulletin 38**  
**September 21, 2002**



# Proceedings of City Council

Vol. LXXXVII

Saturday, September 21, 2002

NO. 38

## **PROCEEDINGS OF CITY COUNCIL REGULAR MEETING NO. 41 MONDAY, SEPTEMBER 16, 2002 AT 5:00 PM**

Council met in regular session with President Matthew D. Habash in the Chair. The roll being called, the following members were present: Kevin L. Boyce, Jennette B. Bradley, President Pro Tem Michael C. Mentel, Maryellen O'Shaughnessey, Richard W. Sensenbrenner, Charleta B. Tavares and President Matthew D. Habash.

There being a Quorum present, Council adopted a motion to dispense with reading of the minutes of the previous session and to accept the journal as recorded.

### **APPOINTMENTS**

The following were hereby appointed to serve on the Columbus Youth Commission:

Alicia Adams, Caroline Adams, Banan Al-Akhras, David Allen, Nworah Ayogu, James Bush, Asisa Chiles, Hilary Corna, David Donofrio, Yaves Ellis, Angela Flatinger, Shakeedra Gamer, Eric Glaze Jr., Terence Hammonds, Ai Ly Ho, Assia Johnson, Kelli Mavromatis, Adannaya Nzeogu, Devin Price, Danny Reese II, and Jeffery Tarver terms expiring August 31, 2003.

Alternates are as follows: Jerry Barksdale, Michael Gorenstein and Raymond Smith.

## **THE CITY BULLETIN Official Publication of the City of Columbus**

Published weekly under authority of the City Charter and direction of the City Clerk. The Office of Publication is the City Clerk's Office, 90 W. Broad Street, Columbus, Ohio 43215. The City Bulletin contains the official report of the proceedings of council. The Bulletin also contains all ordinances and resolutions acted upon by council, civil service notices and announcements of examinations, advertisements for bids and requests for professional services, and details pertaining to official actions of all city departments.

Subscriptions by mail, \$164.00 a Year in advance.

**THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE CITY CLERK'S OFFICE AS OF MONDAY, SEPTEMBER 16, 2002**

**New Type:** C1, C2  
**To:** Business Operations LLC  
DBA Nortons Drive Thru  
1146 Norton Rd  
Columbus Ohio 43228

**New Type:** C1, C2  
**To:** Wine Gallery LLC  
1500 Polaris Pkwy Ste 2054  
Columbus Ohio 43240

**New Type:** D3, D3A  
**To:** Daniel L Pizzurro  
DBA Eddies  
2329 W Broad St 1st Fl & Bsmt Only  
Columbus Ohio 43204

**Stock Type:** D1, D3, D6  
**To:** ADO Renowned Inc  
6701 Karl Rd  
Columbus Ohio 43229

**Stock Type:** D5, D6  
**To:** Mi Mexico Inc  
DBA Mi Mexico Restaurant  
4775 E Main St  
Columbus Ohio 43213

**Transfer Type:** C1, C2, D6  
**To:** 3C Agler Inc  
DBA Super Fresh Foods  
2900 Westerville Rd  
Columbus Ohio 43224  
**From:** Orange Grove Food Inc  
DBA Super Fresh Foods  
2900 Westerville Rd  
Columbus Ohio 43224

**Transfer Type:** D5, D6  
**To:** Three Little Pigs LTD  
DBA Hoggys  
1416 w 5<sup>th</sup> Av & Patio  
Columbus Ohio 43212  
**From:** Three Little Pigs LTD  
DBA Hoggys  
8740 Sancus Blvd & Patio  
Columbus Ohio 43240

**Transfer Type:** D1, D3, D6  
**To:** Three Little Pigs Ltd  
DBA Hoggys  
8740 Sancus Blvd  
Columbus Ohio 43240  
**From:** Three Little Pigs Ltd  
DBA Hoggys  
1416 W Fifth Av & Patio  
Columbus Ohio 43212

**(09/21/02)**

**ORDINANCES****ORD. NO. 1350-02**

To authorize the Director of Development to enter into an agreement with AmeriSourceBergen for a tax abatement of seventy-five percent (75%) for a period of ten (10) years on real property improvements and personal property in consideration of a proposed \$43,275,000 investment, the retention of 200 jobs, and the creation of 64 new full-time jobs.

WHEREAS, the Columbus City Council authorized the designation of the Enterprise Zone by legislation, Ordinance Number 779-85, dated April 22, 1985; and

WHEREAS, the Ohio Development Department approved this designation under State of Ohio enterprise law, by letter dated June 12, 1985; and

WHEREAS, AmeriSourceBergen plans to build a 283,480 square foot facility to accommodate relocation and expansion; and

WHEREAS, the expansion will add approximately \$43,275,000 in investment within the City; and

WHEREAS, the relocation and expansion will retain 200 full-time jobs and create 64 new full time jobs; and

WHEREAS, the City desires to enter into such a binding, formal agreement in order to foster economic growth; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF COLUMBUS

Section 1. That the Director of Development is hereby authorized to enter into an Enterprise Zone Agreement with AmeriSourceBergen and to provide therewith an exemption of seventy-five percent (75%) on real property improvements and personal property for a term often (10) taxable years in association with the project's proposed \$43,275,000 investment.

Section 2. That this ordinance shall take effect and be in force from and after the earliest period permitted by law.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

**ORD. NO. 1351-02**

To accept the application (AN02-004) of Lazar Belcheff, et al. for the annexation of certain territory containing 48.0 ± Acres in Madison Township.

WHEREAS, a petition for the annexation of certain territory in Madison Township was duly filed by Lazar Belcheff, et al. on December 28, 2001; and

WHEREAS, the said petition was duly considered by the Board of County Commissioners of Franklin County, Ohio, and the annexation of said hereinafter described territory to the city of Columbus was approved by said Commissioners by order dated March 6, 2002; and

WHEREAS, the Board of County Commissioners of Franklin County certified the transcript of the proceedings in connection with the said annexation with the map and petition required in connection therewith to the City Clerk who received the same on April 10, 2002; and

WHEREAS, sixty days from the date of said filing have now elapsed in accordance with the provisions of the Ohio Revised Code; and WHEREAS, it is in the best interest of the city of Columbus to accept the annexation of the territory sought to be annexed by the aforesaid petition; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the proposed annexation as applied for in the petition of Lazar Belcheff, et al. being the majority of owner(s) of real estate in the territory sought to be annexed and filed with the Board of County Commissioners of Franklin County, Ohio December 28, 2001 in which said petition prayed for annexation to the city of Columbus, Ohio, of certain territory adjacent thereto as hereinafter described, and which said petition was approved for annexation to the city of Columbus by the Board of County Commissioners by order dated March 6, 2002, be and the same is hereby accepted and said territory is hereby annexed to the city of Columbus. Said territory is described as follows:

Situated in the State of Ohio, County of Franklin, Township of Madison, Part of the Northwest Quarter of Section 15, Township 11, Range 21 and being more particularly described as follows:

Beginning at the northwest corner of said Quarter Section, also being on an existing City of Columbus Corporation line as established by Ordinance No. 2166-99 and shown of record in Instrument No. 200001110007428 and being the northwest of a 19 Acre tract (Parcel I) conveyed to Lazar and Vana Belcheff as shown of record in Instrument No. 199809180237324;

Thence, easterly, along the north line of said Quarter Section, along said Existing Corporation line and along an existing City Columbus Corporation line as established by Ordinance No. 1509-00 and shown of record in Instrument No. 200009130184750, approximately 2,736 feet to the easterly right-of-way line of Ebright Road (60 feet wide);

Thence, southerly, along said easterly right-of-way of Ebright Road, along said existing Corporation line (Ordinance No. 1509-00) and along a proposed Corporation line, approximately 759 feet to a point, said point being the intersection of the south line extended easterly of-a 28 Acre tract (Parcel II) conveyed to said Lazar and Vana Belcheff with said easterly right-of-way;

Thence, westerly, along the south line extended easterly of said 28 Acre tract, and along the south line of said 19 Acre tract and along a proposed Corporation line, approximately 2,736 feet to the west line of said Quarter Section;

Thence, northerly, along the westerly line of said 19 Acre tract, along a proposed Corporation line, approximately 759 feet to the point of beginning CONTAINING APPROXIMATELY 48 ACRES.

Section 2. That the City Clerk is hereby authorized and directed to make three copies of this ordinance to each of which shall be attached a copy of the map accompanying the petition for annexation, a copy of the transcript of proceedings of the Board of County Commissioners relating thereto, and a certificate as to the correctness thereof, the City Clerk shall then forthwith deliver one copy to the County Auditor, one copy to the Board of Elections thereof and do such other things as may be required by law.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

**ORD. NO. 1352-02**

To accept the application (AN02-016) of City of Columbus for the annexation of certain territory containing 15.74 ± Acres in Jackson and Franklin Townships.

WHEREAS, a petition for the annexation of certain territory in Jackson and Franklin Townships was duly filed by City of Columbus on February 28, 2002; and

WHEREAS, the said petition was duly considered by the Board of County Commissioners of Franklin County, Ohio, and the annexation of said hereinafter described territory to the city of Columbus was approved by said Commissioners by order dated May 1, 2002; and

WHEREAS, the Board of County Commissioners of Franklin County certified the transcript of the proceedings in connection with the said annexation with the map and petition required in connection therewith to the City Clerk who received the same on June 12, 2002; and

WHEREAS, sixty days from the date of said filing have now elapsed in accordance with the provisions of the Ohio Revised Code; and

WHEREAS, it is in the best interest of the city of Columbus to accept the annexation of the territory sought to be annexed by the aforesaid petition; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS**

Section 1. That the proposed annexation as applied for in the petition of City of Columbus being the majority of owner(s) of real estate in the territory sought to be annexed and filed with the Board of County Commissioners of Franklin County, Ohio February 28, 2002 in which said petition prayed for annexation to the city of Columbus, Ohio, of certain territory adjacent thereto as hereinafter described, and which said petition was approved for annexation to the city of Columbus by the Board of County Commissioners by order dated May 1, 2002, be and the same is hereby accepted and said territory is hereby annexed to the city of Columbus. Said territory is described as follows:

Situate in the State of Ohio, County of Franklin, Townships of Jackson and Franklin, and lying in Virginia Military Surveys 1389, and being all of the 0.145 acre tract owned by City of Columbus Ohio (Parcel No. 140-007040) in Franklin Township, the 15.591 acre tract owned by City of Columbus Ohio (Parcel No. 160-001107) in Jackson Township, and being more particularly described as follows:

BEGINNING at a point marking the intersection of the southerly right-of-way line of Alkire Road and the line common to said 0.145 acre tract and a 1.853 acre owned by Thomas A. and Kathy A. Box, said point marking an angle point in the existing City of Columbus Corporation line, Ordinance No. 0065-01, of record in Instrument 200104040069563;

Thence SOUTHEASTERLY, a distance of 16 feet, more or less, along the southerly right-of-way line of said Alkire Road, over and across said 0.145 acre tract, to a point in the line common to said 0.145 acre tract and a 2.48 acre tract owned by Harold E. Jr. and Bobbie L. Gardner;

Thence SOUTHWESTERLY, a distance of 504 feet, more or less, along the lines common to said 0.145 acre and 2.48 acre tracts, then along the line common to said 15.591 acre tract, and a 0.13 acre tract owned by Harold E. Jr. and Bobbie L. Gardner, passing the Franklin-Jackson Township line at an approximate distance of 451.3 feet, to a point marking the common corner of said 15.591 and 0.13 acre tracts;

Thence SOUTHEASTERLY, a distance of 401 feet more or less, along the line common to said 15.591 and 0.13 acre tracts, and then common to a 0.17 acre tract owned by Harold E. Jr. and Bobbie L. Gardner, and then common to a 0.926 acre tract owned by Earl A. and Janelle E. Sagraves, and then common to a 9.26 acre tract owned by Gene and Charlotte A. Dougherty, passing the Franklin-Jackson Township line at an approximate distance of 283.0 feet, to a point marking a common corner of said 15.591 and 0.926 acre tracts, also marking a common corner of a 2.738 acre tract owned by Lolita A. Capuana and a 4.437 acre tract owned by Dean A. Capuana and Frank and Norma P. Czarnecki, also being an angle point in the pending City of Columbus Corporation line, Case number 2-02.

Thence SOUTHWESTERLY, a distance of 1623 feet, more or less, along the line common to said 15.591 and 4.437 acre tracts, and then common to a 20.7 acre tract owned by Dean A. Capuana and Frank and Norma P. Czarnecki, passing the Franklin-Jackson Township line at an approximate distance of 22.0 feet, to a point marking the common corner of said 15.591 and 20.3 acre tracts in the north line of a 27.851 acre tract owned by William D. and Marvin Allmon, also being the existing City of Columbus Corporation line, Ordinance No. 15-00, of record in Instrument 200003170052270;

Thence NORTHWESTERLY, a distance of 416 feet, more or less, along the line common to said 15.591 and 27.851 acre tracts, also being said existing City of Columbus Corporation line, to a point marking the common corner of said 15.591 acre tract and a 7.95 acre tract owned by Thomas A. and Kathy A. Box, also being an angle point in the City of Columbus Corporation line Ordinance number 0065-01;

Thence NORTHEASTERLY, a distance of 2142 feet, more or less, along the line common to said 15.591 and 7.95 acre tracts, and then along the line common to said 0.145 and 1.853 acre tracts, said line also being said City of Columbus Corporation line, passing the Franklin-Jackson Township line at an approximate distance of 1693.7 feet, to the POINT OF BEGINNING, containing 15.74 acres, more or less.

Section 2. That the City Clerk is hereby authorized and directed to make three copies of this ordinance to each of which shall be attached a copy of the map accompanying the petition for annexation, a copy of the transcript of proceedings of the Board of County Commissioners relating thereto, and a certificate as to the correctness thereof, the City Clerk shall then forthwith deliver one copy to the County Auditor, one copy to the Board of Elections thereof and do such other things as may be required by law.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

#### **ORD. NO. 1353-02**

To accept the application (AN02-015) of Dorothy J. Agee, FKA Dorothy J. Hartley, Deceased for annexation of certain territory containing 25.3 ± Acres in Franklin Township.

WHEREAS, a petition for the annexation of certain territory in Franklin Township was duly filed by Dorothy J. Agee, FKA Dorothy J. Hartley, Deceased on February 28, 2002; and

WHEREAS, the said petition was duly considered by the Board of County Commissioners of Franklin County, Ohio, and the annexation of said hereinafter described territory to the city of Columbus was approved by said Commissioners by order dated May 1, 2002; and

WHEREAS, the Board of County Commissioners of Franklin County certified the transcript of the proceedings in connection with the said annexation with the map and petition required in connection therewith to the City Clerk who received the same on June 12, 2002; and

WHEREAS, sixty days from the date of said filing have now elapsed in accordance with the provisions of the Ohio Revised Code; and

WHEREAS, it is in the best interest of the city of Columbus to accept the annexation of the territory sought to be annexed by the aforesaid petition; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS**

Section 1. That the proposed annexation as applied for in the petition of Dorothy J. Agee, FKA Dorothy J. Hartley, Deceased being the majority of owner(s) of real estate in the territory sought to be annexed and filed with the Board of County Commissioners of Franklin County, Ohio February 28, 2002 in which said petition prayed for annexation to the city of Columbus, Ohio, of certain territory adjacent thereto as hereinafter described, and which said petition was approved for annexation to the city of Columbus by the Board of County Commissioners by order dated May 1, 2002, be and the same is hereby accepted and said territory is hereby annexed to the city of Columbus. Said territory is described as follows:

Situated in the State of Ohio, County of Franklin, Township of Franklin, Virginia Military Survey Number 875, being all of the remainder of those tracts conveyed to Dorothy J. Hartley by deed of record in Deed Book 3764, Page 461, and more particularly bounded and described as follows:

Beginning at the northwesterly corner of Lot 599 of the subdivision entitled "Scioto Woods Section 9", of record in Plat Book 78, Page 9, at a corner of the existing City of Columbus corporation line as established in Ordinance Number 2-92, of record in Official Record 18595F19;

Thence southerly, with said corporation line, a distance of approximately 983 feet to a point in the existing City of Columbus corporation line as established in Ordinance Number 1337-89, of record in Official Record 13694E04;

Thence westerly, with said corporation line (Ordinance Number 1337-89), a distance of approximately 551 feet to the southeasterly comer of that tract conveyed to Automobile Club Insurance Company by deed of record in Official Record 33422C19;

Thence northerly, with the easterly line of said Automobile Club tract, a distance of approximately 137 feet to the northeasterly comer thereof;

Thence westerly, with the northerly line of said Automobile Club tract, a distance of approximately 664 feet to a point in the easterly right-of-way line of Wilson Road, the existing City of Columbus corporation line as established in Ordinance Number 2112-00, of record in Instrument Number 200011150231301;

Thence with said easterly right-of-way line and said corporation line (Ordinance Number 2112-00) the following courses and distances:

Northerly, a distance of approximately 492 feet to a point;

Northerly, a distance of approximately 51 feet to a point;

Northerly, a distance of approximately 99 feet to a point;

Northerly, a distance of approximately 50 feet to a point; and

Northerly, a distance of approximately 152 feet to a point in said corporation line (Ordinance Number 1337-89);

Thence easterly, with said corporation line (Ordinance Number 1337-89), a distance of approximately 1217 feet to the Point of Beginning, containing approximately 25.3 acres of land.

Section 2. That the City Clerk is hereby authorized and directed to make three copies of this ordinance to each of which shall be attached a copy of the map accompanying the petition for annexation, a copy of the transcript of proceedings of the Board of County Commissioners relating thereto, and a certificate as to the correctness thereof, the City Clerk shall then forthwith deliver one copy to the County Auditor, one copy to the Board of Elections thereof and do such other things as may be required by law.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

#### **ORD. NO. 1354-02**

To accept the application (AN02-006) of Aspen Development Associates for the annexation of certain territory containing 30.81 ± Acres in Hamilton Township.

WHEREAS, a petition for the annexation of certain territory in Hamilton Township was duly filed by Aspen Development Associates on January 2, 2002; and

WHEREAS, the said petition was duly considered by the Board of County Commissioners of Franklin County, Ohio, and the annexation of said hereinafter described territory to the city of Columbus was approved by said Commissioners by order dated May 1, 2002; and

WHEREAS, the Board of County Commissioners of Franklin County certified the transcript of the proceedings in connection with the said annexation with the map and petition required in connection therewith to the City Clerk who received the same on June 12, 2002; and

WHEREAS, sixty days from the date of said filing have now elapsed in accordance with the provisions of the Ohio Revised Code; and

WHEREAS, it is in the best interest of the city of Columbus to accept the annexation of the territory sought to be annexed by the aforesaid petition; now, therefore,

#### **BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS**

Section 1. That the proposed annexation as applied for in the petition of Aspen Development Associates being the majority of owner(s) of real estate in the territory sought to be annexed and filed with the Board of County Commissioners of Franklin County, Ohio January 2, 2002 in which said petition prayed for annexation to the city of Columbus, Ohio, of certain territory adjacent thereto as hereinafter described, and which said petition was approved for annexation to the city of Columbus by the Board of County Commissioners by order dated May 1, 2002, be and the same is hereby accepted and said territory is hereby annexed to the city of Columbus. Said territory is described as follows:

Situate in the State of Ohio, County of Franklin, Township of Hamilton, and being in the Northeast Quarter Section 28, Township 4 North, Range 22 West and being all of the 28.92 acre tract conveyed to Barbara J. Barth and David M. Clabaugh (Parcel Number: 150-000040), the 2.50 acre tract conveyed to Barbara J. Barth (Parcel Number: 150-002661), and the 1.0 acre tract conveyed to John H. and Barbara J. Barth (Parcel Number: 150-000362), records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

BEGINNING at a point in a northerly line of a 496.37 acre tract owned by Patricia F. Kulha Tamarack Enterprises II, said point being at a common comer of said 28.92 acre tract and a 10.002 acre tract owned by Dan and Teresa M. Rohrbaugh, and at an angle point in the existing City of Columbus Corporation Line as established by Ordinance Number 1740-78 of record in Miscellaneous Record 170, Page 789;

Thence the following two (2) courses and distances along the existing City of Columbus Corporation Line and the lines common to said 496.37 acre and 28.92 acre tracts:

1. NORTHWESTERLY, a distance of 998 feet, more or less, to a point;

2. NORTHEASTERLY, a distance of 1407 feet, more or less, across a 209.51 acre tract owned by Patricia F. Kulha, Tamarack Enterprises II and crossing the right-of-way of Rathmell Road, to a point in the northerly right-of-way of said Rathmell Road;

Thence SOUTHEASTERLY, a distance of 598 feet, more or less, along said existing City of Columbus Corporation Line and the existing City of Columbus Corporation Line as established by Ordinance Number 597-01 of record in Instrument No. 200106110130324 and the northerly right-of-way of said Rathmell Road, across said 209.51 acre tract and a 23.497 acre tract owned by Church of Christ in Christian Union to a point in the easterly line of a 1.0 acre tract owned by Michael F. and Carolyn A. Valentine;

Thence SOUTHWESTERLY, a distance of 60 feet, more or less, crossing the right-of-way of said Rathmell Road to a point in the southerly right-of-way of said Rathmell Road;

Thence SOUTHEASTERLY, distance of 407 feet, more or less, along the southerly right-of-way of said Rathmell Road and across said 28.92 acre tract to a point in the line common to said 28.92 acre and 10.002 acre tracts;

Thence SOUTHWESTERLY, a distance of 1333 feet, more or less, along the line common to said 28.92 acre and 10.002 acre tracts, to the POINT OF BEGINNING. Containing 30.81 acres, more or less.

Section 2. That the City Clerk is hereby authorized and directed to make three copies of this ordinance to each of which shall be attached a copy of the map accompanying the petition for annexation, a copy of the transcript of proceedings of the Board of County Commissioners relating thereto, and a certificate as to the correctness thereof, the City Clerk shall then forthwith deliver one copy to the County Auditor, one copy to the Board of Elections thereof and do such other things as may be required by law.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

**ORD. NO. 1355-02**

To authorize the Finance Director to enter into contract with Audsam Printing, Inc. for the production of 2002-2003 personalized income tax forms for the Department of the City Auditor, Division of Income Tax and to authorize expenditure of \$62,011.10.

WHEREAS, the Division of Income Tax requires a contract for the production of city income tax forms and tax packages for public use; and, WHEREAS, the Division of Purchasing solicited bids for the tax forms and tax packages and the bid has been awarded to the lowest responsive bidder; now therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the Finance Director be and he is hereby authorized and directed to enter into contract with Audsam Printing, Inc. for the production of 2002 personalized income tax forms.

SECTION 2. That the expenditure of \$62,011.10 or so much thereof as may be necessary is hereby authorized from Department 22-02, General Fund 01-100, Character 03, Minor Object 352, Index Code 220202, to pay the cost thereof.

SECTION 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

**ORD. NO. 1357-02**

To authorize the Director of the Department of Public Utilities to execute those documents necessary to release a portion of a City held sanitary sewer easement, located in the vicinity of South High Street and Obetz Road, at the request of Lowe's Home Centers, Inc. in exchange for a replacement easement previously granted to the City of Columbus, Ohio.

WHEREAS, the City of Columbus, Ohio, holds title to an easement by virtue of a recorded deed of easement; and,

WHEREAS, Lowe's Home Centers, Inc. has requested that said easement be released in exchange for a replacement easement given to the City of Columbus, Ohio; and,

WHEREAS, the Division of Sewerage and Drainage has determined that the release of said easement will not adversely affect the City of Columbus; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Director of the Department of Public Utilities be, and hereby is authorized to execute those documents, prepared by the Department of Law, Real Estate Division, necessary to release a certain portion of those sanitary easement rights in and to the following described real property:

**Easement**

Situated in the State of Ohio, County of Franklin, City of Columbus, Section 16, Township 4, Range 22, Congress Lands and being out of that parcel of land as conveyed to Lowe's Home Centers, Inc. tax parcel 010-260463 and described as follows:

Commencing at a point in the southwesterly corner of property owned by the Great Southern Shoppers City, Inc., at a 3/8" iron pin; thence N 18° 33' 19" E, along the westerly line of the Great Southern Shoppers City, Inc., 73.35 feet to a point, said point being the Principal Place Of Beginning of the centerline of a portion of a 10 foot existing sanitary sewer easement, as recorded in Deed Book Volume 2154, Page 409, to be released, herein described;

Course No. 1 - Thence along the centerline of the 10' easement N 55° 32' 02" W, a distance of 53.41 feet to a point;

Course No. 2 - Thence along the centerline of the 10' easement N 00° 18' 42" W, a distance of 499.82 feet to a point;

Course No. 3 - Thence along the centerline of the 10' easement N 10° 00' 22" W, a distance of 294.14 feet to a point;

Course No. 4 - Thence along the centerline of the 10' easement N 16° 44' 20" E, a distance of 12.13 feet to a point; according to a survey done in January 2001, by Scott A. Landgraf, P.S. #8085. Bearings cited within the above description are to an assumed meridian and indicate angles only.

T-K Engineering & Design Group, Inc., Scott A. Landgraf, P.S.#8085, 3/20/02.

Section 2. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this resolution is declared to be an emergency measure and shall take effect and be in force from and after its adoption and approval by the Mayor, or ten days after adoption if the Mayor neither approves nor vetoes the same.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

**ORD. NO. 1358-02**

To authorize the Finance Director to enter into a contract with Pipeline Leak Detection Inc., for a data logger system, for the Division of Water, and to authorize the expenditure of \$26,400.00 from Water Systems Operating Fund. (\$26,400.00)

WHEREAS, the Purchasing Office received and opened one bid for a data logger system on July 18, 2002, and

WHEREAS, this system will be used to pinpoint underground water line leaks, and

WHEREAS, it has become necessary in the usual daily operation of the Division of Water, Department of Public Utilities, to authorize the Finance Director to enter into a contract with Pipeline Leak Detection Inc., for a data logger system, needed by the Pitometer Crew, for the preservation of public health, peace, property and safety; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Finance Director be and is hereby authorized to enter into a contract with Pipeline Leak Detection Inc., as the lowest, complete bidder for a data logger system, for the Division of Water, Department of Public Utilities.

Section 2. That the expenditure of \$26,400.00 or as much thereof as may be needed, is hereby authorized from Water Works Fund 600, Department 60-09, OCA Code 602631, Object Level One 06, Object Level Three 6651, to pay the cost thereof.

Section 3. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

**ORD. NO. 1359-02**

To authorize the Finance Director to enter into a contract with Graham Ford, Inc., for three single axle conventional dump trucks with crossmemberless bodies, for the Division of Water, and to authorize the expenditure of \$179,994.00 from Water Systems Operating Fund. (\$179,994.00)

WHEREAS, the Purchasing Office did receive and open bids from four vendors for the purchase of three single axle conventional dump trucks with crossmemberless bodies on June 6, 2002, and

WHEREAS, it has become necessary in the usual daily operation of the Division of Water, Department of Public Utilities, to authorize the Finance Director to enter into a contract with Graham Ford, Inc., for three single axle conventional dump trucks with crossmemberless bodies, needed by the Distribution activity, for the preservation of public health, peace, property and safety; now, therefore,  
**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS**

Section 1. That the Finance Director be and is hereby authorized to enter into a contract with Graham Ford, Inc. as the lowest, complete bidder, for three single axle conventional dump trucks with crossmemberless bodies, for the Division of Water, Department of Public Utilities.

Section 2. That the expenditure of \$179,994.00 or as much thereof as may be needed, is hereby authorized from Water Works Fund 600, Department 60-09, OCA Code 602730, Object Level One 06, Object Level Three 6652, to pay the cost thereof.

Section 3. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

**ORD. NO. 1360-02**

To authorize the Finance Director to enter into a contract with BC Engineering for Water Tower Altitude Control Valves for the Division of Water, and to authorize the expenditure of \$23,054.00 from the Waterworks Enlargement Voted 1991 Bonds Fund (\$23,054.00)

WHEREAS, the Purchasing Office did receive and open bids on July 18, 2002, for the Water Tower Altitude Control Valves project, and WHEREAS, a responsive and responsible bid has been received, and

WHEREAS, in the usual daily operation of the Division of Water, Department of Public Utilities, in that it is necessary to authorize the Finance Director to enter into a contract for the Water Tower Altitude Control Valves project for the Division of Water for the preservation of public health, peace, property, safety and welfare; now, therefore,  
**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS**

Section 1. That the Finance Director be and he is hereby authorized to enter into a contract with by BC Engineering, 4417 Kitty Lane, Batavia, Ohio, 45103, in the amount of \$23,054.00 for Water Tower Altitude Control Valves for the Division of Water, Department of Public Utilities, Contract No. 1033, Project No. 690290, on the basis of the lowest responsive and responsible bid received on July 18, 2002.

Section 2. That for paying the cost of construction, the expenditure of \$23,054.00 or as much thereof as may be needed be, and the same is hereby authorized from the Water Works Enlargement Voted 1991 Bonds Fund No. 606, Department 60, Division 09, OCA Code 642900, Object Level Three Code 6621, Object Level One 06, Project No. 690290.

Section 3. That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account within the same fund, upon receipt of certification by the Director of the department administering said project; that the project has been completed and the monies are no longer required for said project, except that no transfer shall be so made from a project funded by monies from more than one source.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

**ORD. NO. 1361-02**

To authorize and direct the Finance Director to sell to Police Officer Dan Cockerham for the sum of \$1.00 a police canine with the registered name of "Santos" which has no further value to the Division of Police and to waive provisions of the City Code-Sale of City Owned Personal Property. (\$1.00)

WHEREAS, canine "Santos" has been a faithful working police dog with the Division of Police since 1999; and

WHEREAS, canine "Santos" retirement from active police service is due to his inability to be trained for another handler; and

WHEREAS, no City of Columbus Government Agency except Police use canines; and

WHEREAS, it is in the best interest of the City that City Code 329.26 Sale of City-owned personal property be waived; and

WHEREAS, canine "Santos" has been trained in police tactics, it would be in the City's best interest to provide the dog a good home during retirement in a public safety environment; and

WHEREAS, Police Officer Dan Cockerham "Santos" handler prior to retirement is able and willing to provide accommodations for this canine at his personal residence; and

WHEREAS, the City should allow this canine to be purchased by Police Officer Dan Cockerham for the sum of \$1.00; now, therefore,  
**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS**

Section 1. That the Finance Director be and is hereby authorized and directed to sell a police canine with the registered name of "Santos" (asset 23944) to Police Officer Dan Cockerham for the sum of \$1.00.

Section 2. That the Council of the City of Columbus finds it is in the best interests of the City that City Code 329.26 Sale of City-owned personal property, be and is hereby waived to permit the sale of this specific police dog to Police Officer Dan Cockerham.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

**ORD. NO. 1362-02**

To authorize the Director of the Public Service Department to execute those documents necessary to release the utility easement rights that were reserved for the City when City Avenue, the alley west of City Avenue and George Street were vacated in 1960 pursuant to Ordinance 1303-60.

WHEREAS, the City of Columbus vacated those rights-of-way identified as City Avenue, from the north line of Spruce Street to the north line of Lot No. 16 of John R. Hughes subdivision extended westwardly; the alley west of City Avenue, from the north line of Spruce Street to the north line of Lot No. 7 of Henry J. Rice's subdivision extended westwardly; and George Street from the north line of Spruce Street to a line 22.0 feet south of the north line of Lot No. 6 of George W. Rice's subdivision extended eastwardly and parallel to said north line of Lot No. 6 pursuant to Ordinance 1303-60, passed November 14, 1960; and

WHEREAS, Ordinance 3103-60, reserved perpetual rights for the City to operate and maintain utilities then in existence on or in said rights-of-way when they were vacated; and

WHEREAS, MND, LLC is currently redeveloping a site located south of 1-670, north of Spruce Street, and west of Neil Avenue that encompasses these vacated rights-of-way; and



WHEREAS, as a part of the redevelopment of this site MND, LLC, has requested the City release those utility rights reserved in the vacated rights-of-way; and

WHEREAS, after investigation, it has been determined that there are no objections to the release of these reserved easement rights; that the proposed release will not adversely affect the City and that the requested release should be granted; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Director of the Public Service Department be and is hereby authorized to execute those documents prepared by the Department of Law, Real Estate Division, necessary to release the utility easements reserved for the City when City Avenue, from the north line of Spruce Street to the north line of Lot No. 16 of John R. Hughes subdivision extended westwardly; the alley west of City Avenue, from the north line of Spruce Street to the north line of Lot No. 7 of Henry J. Rice's subdivision extended westwardly; and George Street from the north line of Spruce Street to a line 22.0 feet south of the north line of Lot No. 6 of George W. Rice's subdivision extended eastwardly and parallel to said north line of Lot No. 6 were vacated pursuant to Ordinance 1303-60, passed November 14, 1960.

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

**ORD. NO. 1363-02**

To accept various GENERAL WARRANTY DEEDS and to dedicate and name the premises so deeded.

WHEREAS, by virtue of a deed recorded in the Franklin County, Ohio, Recorder's Office, on July 24, 2002 as Instrument Number 200207240181103, WESTWARD PARTNERS, LLC, an Ohio limited liability company, has deeded property to the City of Columbus, to be used for the right-of-way of Bressler Drive; and

WHEREAS, by virtue of a deed recorded in the Franklin County, Ohio, Recorder's Office, on July 24, 2002 as Instrument Number 200207240181112, ALUM CREEK INC., an Ohio corporation, has deeded property to the City of Columbus, to be used for the right-of-way of Cassady Avenue; and

WHEREAS, by virtue of a deed recorded in the Franklin County, Ohio, Recorder's Office, on July 24, 2002 as Instrument Number 200207240181108, DSR, LLC, an Ohio limited liability company, has deeded property to the City of Columbus, to be used for the right-of-way of West Dublin - Granville Road (SR 161); and

WHEREAS, the City desires to accept these deeds for property which will be used for road right-of-way; now, therefore,  
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the City of Columbus hereby accepts the property more fully described in the attached GENERAL WARRANTY DEED from WESTWARD PARTNERS, LLC, an Ohio limited liability company, and shall be dedicated and named Bressler Drive.

Section 2. That the City of Columbus hereby accepts the property more fully described in the attached GENERAL WARRANTY DEED from ALUM CREEK INC., an Ohio corporation, and shall be dedicated and named Cassady Avenue.

Section 3. That the City of Columbus hereby accepts the property more fully described in the attached GENERAL WARRANTY DEED from DSR, LLC, an Ohio limited liability company, and shall be dedicated and named West Dublin - Granville Road (SR 161).

Section 4. That all of these properties shall be used for road right-of-way purposes.

Section 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

**ORD. NO. 1364-02**

To accept the plat titled CLEARVIEW MEADOWS SECTION 5, from Homewood Corporation, an Ohio corporation, by John H. Bain, Chief Executive Officer

WHEREAS, the plat titled CLEARVEEW MEADOWS SECTION 5 (hereinafter "plat"), has been submitted to the City Engineer's Office for approval and acceptance; and

WHEREAS, Homewood Corporation, an Ohio corporation, by John H. Bain, Chief Executive Officer, owner of the platted land, desires to dedicate to the public use all or such parts of the Court and Drive shown on said plat and not heretofore so dedicated; and

WHEREAS, after examination, it has been found to be in the best interest of the City to accept said plat; now, therefore,  
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the plat titled CLEARVIEW MEADOWS SECTION 5 on file in the office of the City Engineer, Transportation Division, be and the same is hereby accepted.

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

**ORD. NO. 1365-02**

To accept the plats titled SHANNON GREEN SECTION 1 PART 1 and SHANNON GREEN SECTION 1 PART 2, from Dominion Homes Inc., an Ohio Corporation by David S. Borror, Executive Vice President.

WHEREAS, the plats titled SHANNON GREEN SECTION 1 PART 1 and SHANNON GREEN SECTION 1 PART 2 (hereinafter "plats"), has been submitted to the City Engineer's Office for approval and acceptance; and

WHEREAS, Dominion Homes Inc., an Ohio Corporation by David S. Borror, Executive Vice President, owners of the platted land, desires to dedicate to the public use all or such parts of the Drives and Places shown on said plats and not heretofore so dedicated; and

WHEREAS, after examination, it has been found to be in the best interest of the City to accept said plats; now, therefore,  
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the plat titled SHANNON GREEN SECTION 1 PART 1 on file in the office of the City Engineer, Engineering and Construction Division, be and the same is hereby accepted.

Section 2. That the plat titled SHANNON GREEN SECTION 1 PART 2 on file in the office of the City Engineer, Engineering and Construction Division, be and the same is hereby accepted.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

**ORD. NO. 1366-02**

To authorize the Director of the Public Service Department to execute those documents required to sell that portion of Mill Street from the north right-of-way line Scott Street to its northern terminus; and to waive the competitive bidding provisions of Columbus City Codes.

WHEREAS, the City of Columbus, Public Service Department, Transportation Division, is the owner of Mill Street; and

WHEREAS, William L. Hill has requested the opportunity to purchase that portion of Mill Street from the north right-of-way line of Scott Street to its northern terminus to allow for expansion of his yard and for construction of a detached garage on this site; and

WHEREAS, the Department of Law, Real Estate Division established an estimated value of \$1,277.10 for this right-of-way; and

WHEREAS, after investigation, it has been determined that the transfer of the requested right-of-way will not adversely affect the City; and

WHEREAS, the Land Review Commission voted to recommend that the requested right-of-way be sold to the adjacent property owner for \$1,277.10; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Director of the Public Service Department be and is hereby authorized to execute quit claim deeds and other incidental instruments prepared by the Department of Law, Real Estate Division, necessary to transfer the following described right-of-way to William L Hill for \$1,277.10; to-wit:

Situate in the State of Ohio, County of Franklin, City of Columbus, Virginia Military Survey No. 1396, and being all of the remainder of Mill Street north of the north line extended of Scott Street in Town of Franklinton (1802) within the City of Columbus, as the same is delineated upon the recorded plat thereof of record in the Ross-Fairfield Deed Book, not numbered. Pages 44, 45, 46, & 47 in the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at the southeast corner of Lot 176 of said Original Town of Franklinton as conveyed to William L. Hill by deed of record in Instrument 1986002240068163 at the northwest corner of Scott and Mill Streets, both being 49.50 feet in width witnessed by a found iron pin South 65°56' East, a distance of 0.47 feet; thence with the west line of said Mill Street and the east line of said Lot 176,

North 12°06'43" West, a distance of 36.00 feet to the south line of a CSX Transportation, Inc. and Chesapeake & Ohio Railroad by use, 1.10 acre tract (May 18, 1930), witnessed by a found iron pin South 78°24' East, a distance of 0.88 feet; thence with said south line of said Railroad tract, and the south line of a portion of Mill Street vacated by City of Columbus Ordinance No. 363-48,

North 82° 11 '45" East, a distance of 49.64 feet across said Mill Street to a set iron pin on the east line of Mill Street at the northwest corner of the remainder of Lot 122, Joseph Ridgeway's Addition of record in Plat Book 1, Pages 126, 127, 128 and 129 conveyed to West Broad Street Partners, Ltd. by deed of record in Official Record 16591, Page G05; thence with the east line of Mill Street and the west line of said Lot 122,

South 12°06'43" East, a distance of 31.90 feet to a set iron pin on a projection of said north line of Scott Street; thence with said projection of the north line of Scott Street across Mill Street,

South 77°27'30" West, a distance of 49.50 feet to the point of beginning, containing 0.039 acre.

The above description is based on a survey of July, 2002 by The Thomas Engineering & Survey Co., Robert G. Watts, Reg. Prof. Surveyor #4138. All set iron pins are 5/8" X 30" rebars with yellow plastic caps embossed "Thomas Engr & Surveying". Bearings are based on the bearing of South 78° West for West Broad Street as stated in the written statement included with the original recorded Plat of the Town of Franklinton. All Deed Books, Official Records, Instruments and Plat Books mentioned are those found in the Recorder's Office, Franklin County, Ohio.

Section 2. That the above referenced real property shall be considered excess road right-of-way and the public rights therein shall terminate upon the Director's execution and delivery of said quit claim deed to the grantee thereof.

Section 3. That the \$1,277.10 to be received by the City as consideration for the sale of this right-of-way shall be deposited in Fund 748, Project 537650.

Section 4. That this Council has determined it is in the best interest of the City of Columbus to allow this right-of-way to be sold without requiring competitive bidding and hereby waives the competitive bidding provision of Columbus City Codes (1959) Revised, Section 329.25 with regards to the transfer of this property.

Section 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

**ORD. NO. 1367-02**

To authorize the Director of the Public Service Department to execute those documents required to sell the unimproved alley east of Wilson Avenue from Elliot Alley to Oak Street; and to waive the competitive bidding provisions of Columbus City Codes.

WHEREAS, the City of Columbus, Public Service Department, Transportation Division, is the owner of the unimproved alley east of Wilson Avenue from Elliot Alley to Oak Street; and

WHEREAS, the adjacent property owners, Vesta M. Moss and Edward E. Phillips have requested the opportunity to purchase this right-of-way, to allow for lot expansion of their adjacent properties; and

WHEREAS, the Department of Law, Real Estate Division established an estimated value of \$1,782.00 for this right-of-way; and

WHEREAS, after investigation, it has been determined that the transfer of the requested right-of-way will not adversely affect the City; and

WHEREAS, the Land Review Commission voted to recommend that the requested right-of-way be sold to the adjacent property owners for \$1,782.00; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Director of the Public Service Department be and is hereby authorized to execute quit claim deeds and other incidental instruments prepared by the Department of Law, Real Estate Division, necessary to transfer the following described right-of-way to Vesta M. Moss, for \$1333.20; to-wit:

SITUATED in the State of Ohio, County of Franklin, City of Columbus, and being part of a 12 foot wide alley located east of Wilson Avenue (60 feet wide) and south of Oak Street (50 feet wide), dedicated to the City of Columbus in Magrew & Blose's Subdivision, Plat Book 4, Page 407, Franklin County Recorder's Office;

All records referred to are those of record in the Franklin County Recorder's Office;

Beginning at an iron pin set at the northwest corner of Lot 5 of the said Magrew & Blose's Subdivision, being the intersection of the east line of the said 12 foot wide alley and the south line of the said Oak Street;

THENCE South 00 degrees 51 minutes 34 seconds West, 135.00 feet, along the west line of the said Lot 5 and the east line of the said 12 foot wide alley, to a set iron pin, being the southwest corner of the said Lot 5 and the intersection of the east line of the said 12 foot wide alley and the north line of a 20 foot wide alley;

THENCE due West, 12.00 feet, along the north line of the said 20 foot wide alley, to a set iron pin, being the southeast corner of Lot 4 of the said Magrew & Blose's Subdivision and the intersection of the west line of the said 12 foot wide alley and the north line of the said 20 foot wide alley;

THENCE North 00 degrees 51 minutes 34 seconds East, 67.00 feet, along the east line of the said Lot 4 and the east line of Lot 3 of the said Magrew & Blose's Subdivision, and the west line of the said 12 foot wide alley, to a set iron pin, being the northeast corner of the said Lot 3 and the southeast corner of Lot 2 of the said Magrew & Blose's Subdivision;

THENCE South 89 degrees 08 minutes 26 seconds East, 6.00 feet, crossing the said 12 foot wide alley, to a set iron pin in the centerline of the said 12 foot wide alley;

THENCE North 00 degrees 51 minutes 34 seconds East, 68.09 feet, along the centerline of the said 12 foot wide alley, to a set iron pin, being a point in the south line of the said Oak Street;

THENCE due East, 6.00 feet, along the south line of the said Oak Street and the north line of the said 12 foot wide alley, to the Point of Beginning, containing 1212 square feet or 0.028 acres, according to a survey by J & J Surveying on May 28th, 2002;

The basis of bearings is the centerline of Oak Street as being Due East, assumed, and is used to denote angles only. All iron pins set are 5/8" in diameter, 30" long, with a cap stamped "J&J SURVEYING".

Raymond J. Wood, Registered Professional Surveyor No. 7745

Section 2. That the Director of the Public Service Department be and is hereby authorized to execute quit claim deeds and other incidental instruments prepared by the Department of Law, Real Estate Division, necessary to transfer the following described right-of-way to Edward E. Phillips, for \$448.80; to-wit:

SITUATED in the State of Ohio, County of Franklin, City of Columbus, and being part of a 12 foot wide alley located east of Wilson Avenue (60 feet wide) and south of Oak Street (50 feet wide), dedicated to the City of Columbus in Magrew & Blose's Subdivision, Plat Book 4, Page 407, Franklin County Recorders Office;

All records referred to are those of record in the Franklin County Recorders Office;

Beginning at an iron pin set at the northeast corner of Lot 1 of the said Magrew & Blose's Subdivision, being the intersection of the west line of the said 12 foot wide alley and the south line of the said Oak Street;

THENCE due East, 6.00 feet, along the south line extended of the said Oak Street, to a set iron pin, being a point in the centerline of the said 12 foot wide alley,

THENCE South 00 degrees 51 minutes 34 seconds West, 68.09 feet, along the centerline of the said 12 foot alley, to a set iron pin;

THENCE North 89 degrees 08 minutes 26 seconds West, 6.00 feet, crossing the said 12 foot wide alley, to a set iron pin, being a point in the west line of the said 12 foot wide alley, the northeast corner of Lot 3 and the southeast corner of Lot 2 of the said Magrew & Blose's Subdivision;

THENCE North 00 degrees 51 minutes 34 seconds East, 68.00 feet, along the east lines of the said Lot 2 and the said Lot 1, and the west line of the said 12 foot wide alley, to the Point of Beginning, containing 408 square feet or 0.009 acres, J & J Surveying on May 28th, 2002.

The basis of bearings is the centerline of Oak Street as being Due East, assumed, and is used to denote angles only. All iron pins set are 5/8" in diameter, 30" long, with a cap stamped "J&J SURVEYING"

Raymond J. Wood, Registered Professional Surveyor No. 7745

Section 3. That the above referenced real property shall be considered excess road right-of-way and the public rights therein shall terminate upon the Director's execution and delivery of said quit claim deeds to the grantees thereof.

Section 4. That a general utility easement in, on, over, across and through the above described excess right-of-way shall be and hereby is retained unto the City of Columbus for those utilities currently located within said excess right-of-way.

Section 5. That the \$1,782.00 to be received by the City as consideration for the sale of this right-of-way shall be deposited in Fund 748, Project 537650.

Section 6. That this Council has determined it is in the best interest of the City of Columbus to allow these rights-of-way to be sold without requiring competitive bidding and hereby waives the competitive bidding provision of Columbus City Codes (1959) Revised, Section 329.25 with regards to the transfer of these properties.

Section 7. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

#### **ORD. NO. 1406-02**

To authorize the Director of Department of Development to execute any and all necessary agreements and deeds for conveyance of title of sixteen parcels of real property held in the Land Bank pursuant to the Land Reutilization Program\* and to declare an emergency.

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to pass this ordinance as an emergency measure because the transfer of deeds can be completed within the next 30 days and for the preservation of the public health, peace, property, safety, and welfare;

WHEREAS, by Ordinance 2161-93 Council adopted and elected to use the Revised Code Chapter 5722, Land Reutilization Program, to facilitate effective reutilization of nonproductive land acquired through a sale pursuant to a foreclosure proceeding initiated by the Franklin County Treasurer, or through a sale of forfeited lands by the Franklin County Auditor or through a conveyance in lieu of foreclosure to foster either return of such land to tax revenue generating status or its devotion to public use; and

WHEREAS, sixteen proposals for 12 single-family homes, 3 parcels for commercial development at Four Corners in South Linden and 1 parcel for side yard use meet the Land Reutilization Program's Disposition Policies and Guiding Principles and have been approved; and

WHEREAS, such these sixteen parcels of real estate being sold at not less than fair market value in conformity with Ohio Revised Code Section 5722.07; and

WHEREAS, in order to complete the transfer of such property/properties to the purchasers, authority is needed for the Director of Department of Development to execute any and all necessary agreements and deeds of conveyance for such real property; now, therefore, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Director of Department of Development is hereby authorized and directed to execute any and all necessary agreements and deeds to convey title of the following parcels of real estate to qualified purchasers:

| <u>Tax Parcel #</u> | <u>Address</u>          | <u>Name of Purchaser</u>         | <u>Consideration</u> |
|---------------------|-------------------------|----------------------------------|----------------------|
| 010-052659          | 1402-1410 Cleveland Ave | Greater Linden Development Corp. | \$500.00             |
| 010-069799          | 971 McClelland Avenue   | Greater Linden Development Corp. | \$500.00             |
| 010-040070          | 977 McClelland Avenue   | Greater Linden Development Corp. | \$500.00             |
| 010-021209          | 597 Reinhard            | Southside Homes, LP              | \$500.00             |
| 010-000575          | S. 5th Street           | Southside Homes, LP              | \$500.00             |
| 010-034711          | 256 Hinkle              | Southside Homes, LP              | \$500.00             |
| 010-021474          | 1229 S. 17th            | Southside Homes, LP              | \$500.00             |
| 010-045829          | 720 S. Sycamore         | Southside Homes, LP              | \$500.00             |

|            |                     |                     |          |
|------------|---------------------|---------------------|----------|
| 010-054512 | Oakwood Lot 79      | Southside Homes, LP | \$500.00 |
| 010-017440 | Oakwood Lot 98      | Southside Homes, LP | \$500.00 |
| 010-010814 | 548 Hanford         | Southside Homes, LP | \$500.00 |
| 010-056620 | 578 E. Reynolds     | Fairview Homes, LP  | \$500.00 |
| 010-042341 | E. Stair, Lot 87    | Fairview Homes, LP  | \$500.00 |
| 010-009141 | 932 Chittenden      | Fairview Homes, LP  | \$500.00 |
| 010-019881 | 1650-1652 Cleveland | Fairview Homes, LP  | \$500.00 |
| 010-024062 | 1400N. 6th          | QCM Construction    | \$500.00 |

Section 2. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in fore from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed as amended September 16, 2002, Matthew D. Habash, President of Council / Approved as amended September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

#### **ORD. NO. 1409-02**

To authorize the Finance Director to enter into a contract with Buckeye Western Star, for a tandem axle cement truck, for the Division of Water, and to authorize the expenditure of \$116,902.00 from Water Systems Operating Fund (\$116,902.00) and to declare an emergency.

WHEREAS, an emergency exists in the usual daily operation in the Department of Public Utilities in that it is immediately necessary to pass this ordinance as an emergency measure because the bid on these trucks expires at the end of this month and for the preservation of the public health, peace, property, safety; and welfare, and

WHEREAS, the Purchasing Office did receive and open five bids for the purchase of a tandem axle cement truck on June 20, 2002, and

WHEREAS, it has become necessary in the usual daily operation of the Division of Water, Department of Public Utilities, to authorize the Finance Director to enter into a contract with Buckeye Western Star, for a tandem axle cement truck, needed by the Distribution activity of the Division of Water, for the preservation of public health, peace, property and safety; now, therefore,  
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Finance Director be and is hereby authorized to enter into a contract with Buckeye Western Star, as the lowest, complete most responsive bidder to meet specifications, for a tandem axle cement truck, for the Division of Water, Department of Public Utilities.

Section 2. That the expenditure of \$116,902.00 or as much thereof as may be needed, is hereby authorized from Water Works Fund 600, Department 60-09, OCA Code 602730, Object Level One 06, Object Level Three 6652, to pay the cost thereof.

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed as amended September 16, 2002, Matthew D. Habash, President of Council / Approved as amended September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

#### **ORD. NO. 1413-02**

To accept the plat titled LANGFORD MEADOW SECTION 3, from Columbus Contractor Company, Steve Girard, President, and to declare an emergency.

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to pass this ordinance as an emergency measure because passage on 9/16/02 will allow the financing and construction to begin on the new Columbus neighborhood and for the preservation of the public health, peace, property, safety, and welfare: and

WHEREAS, the plat titled LANGFORD MEADOW SECTION 3 (hereinafter "plat"), has been submitted to the City Engineer's Office for approval and acceptance; and

WHEREAS, Columbus Contractor Company, by Steve Girard, President, owner of the platted land, desires to dedicate to the public use all or such parts of the Court, Drive, and Road shown on said plat and not heretofore so dedicated; and

WHEREAS, after examination, it has been found to be in the best interest of the City to accept said plat; now, therefore,  
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the plat titled LANGFORD MEADOW SECTION 3 on file in the office of the City Engineer, Transportation Division, be and the same is hereby accepted.

Section 2. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed as amended September 16, 2002, Matthew D. Habash, President of Council / Approved as amended September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

#### **ORD. NO. 1416-02**

To authorize and appropriation of \$6,642.50 from the unappropriated balance of the EMS & Entrepreneurial Training Fund for the Public Safety Department, Fire Division, to provide funds for the purchase of goods and/or services for the Fire Division's Emergency Medical Services Training Bureau. (\$6,642.50)

WHEREAS, the Fire Division's Training Bureau, as authorized by Ordinance No. 1863-01, passed November 19, 2001, generates revenues through EMS and firefighting related training activities, which are deposited and expended via the Division's EMS & Fire Entrepreneurial Training Fund; and

WHEREAS, in the usual daily operation of the Public Safety Department, Fire Division, in that it is necessary to appropriate funds within the unappropriated cash balance of the EMS & Fire Entrepreneurial Training Fund for the purchase of needed goods and/or services, thereby preserving the public health, peace, property, safety, and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That from the unappropriated cash balance in the EMS & Fire Entrepreneurial Training Fund, Fund 223, Sub-Fund 133, Public Safety Department, Fire Division, and from any and all sources estimated to come into said fund and unappropriated for any other purpose, the following sum is appropriated to the designated code:

| Dept. No. | Object Level One | OCA Code | Amount     |
|-----------|------------------|----------|------------|
| 3004      | 02               | 223133   | \$6,642.50 |

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

#### **ORD. NO. 1417-02**

To authorize and direct the Finance Director to enter into three contracts for an option to purchase Winterwear/Raingear, with Safety Solutions, Inc., Workforce Outfitters, and Foster and Associates, to authorize the expenditure of three dollars to establish contracts from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$3.00)

WHEREAS, the Purchasing Office advertised and solicited formal bids on August 8, 2002 and selected the lowest bids; and

WHEREAS, this ordinance addresses Purchasing objectives of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into three contracts for an option to purchase Winterwear/Raingear, thereby preserving the public health, peace, property, safety, and welfare; now, therefore, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the Finance Director be and is hereby authorized and directed to enter into three contracts for an option to purchase Winterwear/Raingear in accordance with Solicitation No. SA000307DRM as follows:

| Company                | Item(s)                | Amount |
|------------------------|------------------------|--------|
| Safety Solutions, Inc. | Primary Award: 1-35    | \$1.00 |
| Workforce Outfitters   | Secondary Award: 1-14  | \$1.00 |
| Foster and Associates  | Secondary Award: 15-33 | \$1.00 |

SECTION 2. That the expenditure of \$3.00 is hereby authorized from Purchasing Contract Account, Organization Level 1: 45-01, Fund: 05-516, Object Level 3: 2270, OCA: 451120, to pay the cost thereof.

SECTION 3. That for the reason stated in the preamble here to, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

#### **ORD. NO. 1418-02**

To authorize and direct the Finance Director to enter into two contracts for an option to purchase OEM Motorcycle Parts, with C & A Motorsports, and Classic Cycles, to authorize the expenditure of two dollars to establish contracts from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$2.00)

WHEREAS, the Purchasing Office advertised and solicited formal bids on July 18, 2002 and selected the lowest bids; and

WHEREAS, this ordinance addresses Purchasing objectives of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into two contracts for an option to purchase OEM Motorcycle Parts, thereby preserving the public health, peace, property, safety, and welfare; now, therefore, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the Finance Director be and is hereby authorized and directed to enter into two contracts for an option to purchase OEM Motorcycle Parts in accordance with Solicitation No. SA000295GRW as follows:

| Company           | Item(s) | Amount |
|-------------------|---------|--------|
| C & A Motorsports | 1       | \$1.00 |
| Classic Cycles    | 2       | \$1.00 |

SECTION 2. That the expenditure of \$2.00 is hereby authorized from Purchasing Contract Account, Organization Level 1: 45-01, Fund: 05-516, Object Level 3: 2270, OCA: 451120, to pay the cost thereof.

SECTION 3. That for the reason stated in the preamble here to, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

#### **ORD. NO. 1419-02**

To authorize and direct the Finance Director to modify the citywide contract for the option to purchase Crushed Limestone & Gravel Aggregates, with Shelly Materials, and to declare an emergency.

WHEREAS, the Purchasing Office advertised and solicited formal bids, and selected the lowest bid; and

WHEREAS, vendor has agreed to modify FL001047 to reflect the name and federal identification number change on the FL001047 and past, current, and future obligations; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to extend FL001047 for an option to purchase Crushed Limestone & Gravel Aggregates thereby preserving the public health, peace, property, safety, and welfare, now, therefore,

## BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the Finance Director be and is hereby authorized and directed to modify FL001047 to the change name and federal identification number from Martin Marietta Aggregates (58-1848578) to Shelly Materials (31-1574851). Shelly Materials also does business as Marble Cliff Limestone (82-0544209) and. Columbus Limestone (74-3043782); this modification affects past, present and future obligations.

SECTION 2. That this modification is in accordance with Section 329.16 of the Columbus City Codes.

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

**ORD. NO. 1420-02**

To authorize and direct the Finance Director to modify and extend the city-wide contracts for the option to purchase Woodchips, with C & L Erectors Riggers, Inc. and Wood Recovery Systems, Ltd., and to declare an emergency.

WHEREAS, the Purchasing Office advertised and solicited formal bids, and selected the lowest bid; and

WHEREAS, vendors have agreed to extend FL000739 and FL000622 at current prices and conditions to and including November 30, 2003, and it is in the best interest of the City to exercise this option: and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to extend FL000739 and FL000622 for an option to purchase Woodchips thereby preserving the public health, peace, property, safety, and welfare, now, therefore,

## BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the Finance Director be and is hereby authorized and directed to modify and extend FL000739 with C & L Erectors and Riggers, Inc. and FL000622 Wood Recovery Systems, Ltd. to and including November 30, 2003.

SECTION 2. That this modification is in accordance with Section 329.16 of the Columbus City Codes

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

**ORD. NO. 1421-02**

To authorize and direct the Finance Director to modify and extend the citywide contract for the option to purchase Sludge Grinder Parts (Muffin Monster), with JWC Environmental, and to declare an emergency.

WHEREAS, the Purchasing Office advertised and solicited formal bids, and selected the lowest bid; and

WHEREAS, vendor has agreed to extend FL000738 at current prices and conditions to and including December 31, 2004, and it is in the best interest of the City to exercise this option: and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to extend FL000738 for an option to purchase Sludge Grinder Parts (Muffin Monster) thereby preserving the public health, peace, property, safety, and welfare, now, therefore,

## BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the Finance Director be and is hereby authorized and directed to modify and extend FL000738 with JWC Environmental to and including December 31, 2004.

SECTION 2. That this modification is in accordance with Section 329.16 of the Columbus City Codes

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

**ORD. NO. 1422-02**

To authorize and direct the Director of Finance to purchase golf course equipment from Century Equipment, Inc., for the Recreation and Parks Department, in accordance with the terms and conditions of the Statewide contract, to authorize the expenditure of \$33,002.92 from the Golf Course Operations Fund, and to declare an emergency. (\$33,002.92)

WHEREAS, the State of Ohio allows political subdivisions to purchase equipment from Statewide contracts; and

WHEREAS, Columbus City Council has authorized City agencies to make such purchases; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to enter into said purchase order for the preservation of public health, peace, property and safety; now, therefore,

## BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the Director of Finance be and he is hereby authorized and directed to enter into a purchase order with Century Equipment, Inc., for mowers for the Golf Division of the Recreation and Parks Department, in accordance with the terms and conditions of the Statewide contract.

SECTION 2. That the expenditure of \$33,002.92, or so much thereof as may be necessary, be and is hereby authorized from the Golf Course Operations Fund, as follows, to pay the cost thereof.

| Fund Type | Dept. No. | Fund | Item                | Object Level 3 | OCA Code | Amount    |
|-----------|-----------|------|---------------------|----------------|----------|-----------|
| Operating | 51-03     | 284  | Mower (Raymond)     | 6652           | 516120   | 21,985.43 |
| Operating | 51-03     | 284  | Mower (Walnut Hill) | 6652           | 516245   | 11,017.49 |

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

**ORD. NO. 1423-02**

To authorize and direct the Director of Recreation and Parks to enter into a contract with the Wexner Heritage Village, to authorize the expenditure of \$37,676.00 from the Recreation and Parks Grant Fund for the provision of transportation of elderly and disabled persons, and to declare an emergency. (\$37,676.00)

WHEREAS, the Ohio Department of Aging has awarded supplemental state grant funding to the Central Ohio Area Agency on Aging for the provision of transportation services.

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to enter into contract for the preservation of public health, peace, property, safety and welfare; now, therefore,  
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to enter into a contract in the amount of \$37,676.00 with the Wexner Heritage Village for the provision of transportation to elderly and disabled persons for the period July 1, 2002 through June 30, 2003.

Section 2. That the expenditure of \$37,676.00 or so much thereof as may be necessary, be and is hereby authorized from the Recreation and Parks Grant Fund No. 286, Object Level Three, 3337, Project No. 518315, OCA No. 514539, to pay the cost thereof.

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

**ORD. NO. 1424-02**

To authorize and direct the Director of Recreation and Parks to modify the contract with Schorr & Associates for additional professional services in conjunction with the Beatty Recreation Center Design Project, authorize the expenditure of \$133,000.00 from the Recreation and Parks Permanent Improvement Fund, and declare an emergency. (\$133,000.00)

WHEREAS, it is necessary to modify the contract with Schorr & Associates for professions services in conjunction with the Beatty Recreation Center Design Project; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to modify said contract for the preservation of public health peace, property and safety; now, therefore,  
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to modify Contract No. EL002140 with Schorr & Associates for additional professional services in conjunction with the Beatty Recreation Center Design Project, in accordance with plans and specifications on file in the Recreation and Parks Department.

SECTION 2. That the expenditure of \$133,000.00, or so much thereof as may be necessary, be and is hereby authorized from the Recreation and Parks Permanent Improvement Fund, as follows, to pay the cost thereof.

| Fund Type  | Dept. No. | Fund No. | Project No. | Project Name           | Object Level 3 | OCA Code | Amount     |
|------------|-----------|----------|-------------|------------------------|----------------|----------|------------|
| Cap. Proj. | 51-01     | 747      | 510035      | Facilities Renovations | 6681           | 640862   | 133,000.00 |

SECTION 3. That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project; except that no transfer shall be so made from a project account funded by monies from more than one source.

SECTION 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

**ORD. NO. 1425-02**

To authorize and direct the Director of Recreation and Parks to modify the contract with Burgess & Niple, Ltd., for additional professional services in conjunction with the Scioto Trail Alignment Study Project, to authorize the expenditure of \$89,071.94 from the Recreation and Parks Permanent Improvement Fund, and to declare an emergency. (\$89,071.94)

WHEREAS, it is necessary to modify the contract with Burgess & Niple, Ltd., for professional services in conjunction with the Scioto Trail Alignment Study Project; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to modify said contract for the preservation of public health, peace, property and safety; now, therefore,  
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to modify Contract No. EL001086 with Burgess & Niple, Ltd., for additional professional services in conjunction with the Scioto Trail Alignment Study Project, in accordance with plans and specifications on file in the Recreation and Parks Department.

SECTION 2. That the expenditure of \$89,071.94, or so much thereof as may be necessary, be and is hereby authorized from the Recreation and Parks Permanent Improvement Fund, as follows, to pay the cost thereof.

| Fund Type  | Dept. No. | Fund No. | Project No. | Protect Name                   | Object Level 3 | OCA Code | Amount    |
|------------|-----------|----------|-------------|--------------------------------|----------------|----------|-----------|
| Cap. Proj. | 51-01     | 747      | 510017      | Park & Playground Improvements | 6680           | 640862   | 89,071.94 |

SECTION 3. That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project; except that no transfer shall be so made from a project account funded by monies from more than one source.

SECTION 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

**ORD. NO. 1426-02**

To authorize and direct the Director of Recreation and Parks to enter into contract with McDaniel's Construction Corp., Inc., for the Rhodes Park Well & Irrigation Installation Project, to authorize the expenditure of \$91,951.00 from various funds, and to declare an emergency. (\$91,951.00)

WHEREAS, bids were received by the Recreation and Parks Department on August 13, 2002, and the contract for the Rhodes Park Well & Irrigation Installation Project will be awarded on the basis of the lowest and best responsive and responsible bidder; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to enter into said contract for the preservation of public health, peace, property and safety; now, therefore,  
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to enter into contract with McDaniel's Construction Corp., Inc., for the Rhodes Park Well & Irrigation Installation Project, in accordance with plans and specifications on file in the Recreation and Parks Department.

SECTION 2. That the expenditure of \$91,951.00, or so much thereof as may be necessary, be and is hereby authorized from the Recreation and Parks Permanent Improvement Fund No. 747 and the Community Development Block Grant Fund No. 248, as follows, to pay the cost thereof.

| Fund Type  | Dept. No. | Fund No. | Project No. | Project Title                 | Object Level 3 | OCA Code | Amount    |
|------------|-----------|----------|-------------|-------------------------------|----------------|----------|-----------|
| Grant      | 51-01     | 248      |             | 2001 Youth Initiative Fund    | 6621           | 517052   | 45,000.00 |
| Cap. Proj. | 51-01     | 747      | 510017      | Park & Playground Development | 6621           | 640862   | 44,951.00 |
| Cap. Proj. | 51-01     | 747      | 510017      | Park & Playground Development | 6680           | 640862   | 2,000.00  |

SECTION 3. That for the purpose of paying for any contingencies which may occur during this project, the amount of \$10,000.00 has been included in Section 2, above. This amount will be expended only after approval by the Director of the Recreation and Parks Department, certification by the City Auditor, and approval of the City Attorney.

SECTION 4. That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project; except that no transfer shall be so made from a project account funded by monies from more than one source.

SECTION 5. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

**ORD. NO. 1427-02**

To authorize and direct the Director of Recreation and Parks to enter into contract with R.D. Zande & Associates for the Mudflats at Hoover Reservoir Land Survey Project, to authorize the expenditure of \$7,500.00 from the Recreation and Parks Private Grant Fund, and to declare an emergency. (\$7,500.00)

WHEREAS, the Recreation and Parks Department will enter into contract with R.D. Zande & Associates for the Mudflats at Hoover Reservoir Land Survey Project in accordance with the provisions of Section 329.08 of the Columbus City Codes, and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to enter into said contract for the preservation of public health, peace, property and safety; now, therefore,  
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to enter into contract with R.D. Zande & Associates for professional services in conjunction with the Mudflats at Hoover Reservoir Land Survey Project.

SECTION 2. That the expenditure of \$7,500.00, or so much thereof as may be necessary, be and is hereby authorized from the Recreation and Parks Private Grant Fund, as follows, to pay the cost thereof.

| Fund Type | Dept No. | Fund | Grant No. | Grant Name                | Object Level 3 | OCA Code | Amount   |
|-----------|----------|------|-----------|---------------------------|----------------|----------|----------|
| Grant     | 51-01    | 291  | 513020    | Hoover Mudflats Boardwalk | 6680           | 513020   | 7,500.00 |

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

**ORD. NO. 1428-02**

To authorize the expenditure of \$25,000.00 from the Recreation and Parks Grant Fund in conjunction with the Scioto Riverfront Improvements Project, and to declare an emergency. (\$25,000.00)

WHEREAS, various expenditures for labor, material and equipment are necessary within the Recreation and Parks Department for the Scioto Riverfront Improvements Project; and



WHEREAS, grant funding is available for these expenditures; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to expend said funds for the preservation of public health, peace, property and safety; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the purchase of labor, materials and equipment is necessary in conjunction with the Scioto Riverfront Improvements Project.

SECTION 2. That the expenditure of \$25,000.00, or so much thereof as may be necessary, be and is hereby authorized from the Recreation and Parks Grant Fund No. 702 and the Recreation and Parks Grant Fund No. 286, as follows, to pay the cost thereof. All work will be based on three estimates and will not exceed \$20,000.00 per contract or job.

| Fund Type | Dept. No. | Fund | Grant No. | Grant Title                   | Object Level 3 | OCA Code | Amount      |
|-----------|-----------|------|-----------|-------------------------------|----------------|----------|-------------|
| Grant     | 51-01     | 286  | 510102    | Scioto Peninsula Improvements | 6680           | 510102   | \$25,000.00 |

SECTION 3. That the monies in the foregoing Section 2 shall be paid upon order of the Director of Recreation and Parks, and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

SECTION 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

#### **ORD. NO. 1429-02**

To authorize an appropriation of \$6,355.00 from the unappropriated balance of the Recreation and Parks Special Purpose Fund to the Recreation and Parks Department for the purchase of various supplies in 2002 funded through fees and donations, and to declare an emergency. (\$6,355.00)

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to appropriate said funds for the preservation of public health, peace, property and safety; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That from the unappropriated monies in the Recreation and Parks Special Purpose Fund No. 223, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2002, the sum of \$6,355.00 is appropriated to the Recreation and Parks Department, Department No. 51-01, as follows:

| Project Title         | Sub-fund | OCA Code | Object Level 3 | Amount     |
|-----------------------|----------|----------|----------------|------------|
| Shaved Ice Cone Sales | 098      | 514711   | 2269           | \$6,355.00 |

SECTION 2. That the monies in the foregoing Section 1 shall be paid upon order of the Director of Recreation and Parks, and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

#### **ORD. NO. 1430-02**

To authorize and direct the Director of Recreation and Parks to accept a grant in the amount of \$1,500,000.00 from the U.S. Department of Interior for support of the Renovations at Beatty Recreation Center Project, to authorize an appropriation of \$1,500,000.00 from the unappropriated balance of the Recreation and Parks Grant Fund to the Recreation and Parks Department, and to declare an emergency. (\$1,500,000.00)

WHEREAS, the U.S. Department of Interior, Urban Park and Recreation Recovery program (UPARR), has awarded the City of Columbus, Recreation and Parks Department, a grant to support the Renovations at Beatty Recreation Center Project; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to accept and appropriate said grant funds for the preservation of public health, peace, property and safety; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to accept a grant in the amount of \$1,500,000.00 from the U.S. Department of Interior, Urban Park and Recreation Recovery program, for the Renovations at Beatty Recreation Center Project.

SECTION 2. That from the unappropriated monies in the Recreation and Parks Grant Fund No. 286, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2002, the sum of \$1,500,000.00 is appropriated to the Recreation and Parks Department, Department No. 51-01, as follows:

| Project Title                    | Grant No. | OCA Code | Object Level 3 | Amount         |
|----------------------------------|-----------|----------|----------------|----------------|
| Beatty Park and Rec Center-UPARR | 512022    | 512022   | 6620           | \$1,500,000.00 |

SECTION 3. That the monies in the foregoing Section 2 shall be paid upon order of the Director of Recreation and Parks, and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

SECTION 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

**ORD. NO. 1431-02**

To authorize and direct the Director of Recreation and Parks to accept a grant in the amount of \$478,100.00 from the Ohio Public Works Commission for the purchase of Blauser Farm parkland, to authorize an appropriation of \$478,100.00 from the unappropriated balance of the State Issue II Projects Grant Fund to the Recreation and Parks Department, and to declare an emergency. (\$478,100.00)

WHEREAS, the Ohio Public Works Commission, has awarded the City of Columbus, Recreation and Parks Department, a grant to support the purchase of Blauser Farm for future parkland; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to accept and appropriate said grant funds for the preservation of public health, peace, property and safety; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to accept a grant in the amount of \$478,100.00 from the Ohio Public Works Commission, for the purchase of Blauser Farm for future parkland.

SECTION 2. That from the unappropriated monies in the State Issue II Projects Grant Fund No. 764, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2002, the sum of \$478,100.00 is appropriated to the Recreation and Parks Department, Department No. 51-01, as follows:

| <u>Project Title</u> | <u>Grant No.</u> | <u>OCA Code</u> | <u>Object Level 3</u> | <u>Amount</u> |
|----------------------|------------------|-----------------|-----------------------|---------------|
| Blauser Farm - OPWC  | 510764           | 510765          | 6601                  | \$478,100.00  |

SECTION 3. That the monies in the foregoing Section 2 shall be paid upon order of the Director of Recreation and Parks, and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

SECTION 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

**ORD. NO. 1433-02**

To authorize and direct the Director of Public Utilities to enter into a contract with K&W Roofing Incorporated for the Maintenance Building Roof Replacement at the Jackson Pike Wastewater Treatment Plant for the Division of Sewerage and Drainage, to authorize the expenditure of \$72,823.00 from the Sewerage System Operating Fund and to declare an emergency (\$72,823.00)

WHEREAS, the Department of Public Utilities, Division of Sewerage and Drainage received bids on June 19, 2002 for the Maintenance Building Roof Replacement for the Jackson Pike Wastewater Treatment Plant, and

WHEREAS, K&W was the lowest, responsible and responsive bidder, and,

WHEREAS, roof replacement is necessary at the Jackson Pike Wastewater Treatment Plant maintenance building, and,

WHEREAS, an emergency exists in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities, in that it is immediately necessary to authorize the Director of Public Utilities to enter into a contract for this replacement at the earliest possible date for the immediate preservation of the public health, peace, property and safety; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the Director of Public Utilities be and is hereby authorized and directed to enter into a contract with K&W Roofing Inc. for the Maintenance Building Roof Replacement at Jackson Pike Wastewater Treatment Plant within the Division of Sewerage and Drainage.

SECTION 2. That the expenditure of \$72,823.00, or so much thereof as may be necessary, be and is hereby authorized from the Sewerage System Operating Fund 650, Department 60-05, OCA Code 605030, Object Level Three 6624, to pay the cost thereof.

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

**ORD. NO. 1434-02**

To authorize the Finance Director to enter into a contract with Contronics Systems of Ohio for the purchase and installation of a Camera Monitoring/Surveillance System for the Division of Electricity; to authorize the expenditure of \$35,266.00 from the Electricity Operating Fund, and to declare an emergency. (\$35,266.00)

WHEREAS, the Division of Electricity wishes to purchase a Camera Monitoring/Surveillance System to improve security in the customer service and material storage areas of its Indianola Avenue location; and

WHEREAS, the Purchasing Office received and opened bids on July 11, 2002; and

WHEREAS, Contronics Systems of Ohio submitted the lowest responsive and responsible bid received for Solicitation Number SA000283RFM; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Electricity, in that it is immediately necessary to purchase a Camera Monitoring/Surveillance System, thereby protecting the public health, peace, property, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the Director of Finance be and is hereby authorized to enter into a contract for the purchase and installation of a Camera Monitoring/Surveillance System, for the Division of Electricity, in the amount of \$35,266.00 for Items 1, 2 and 5 of the bid proposal received and opened on July 11, 2002, SA000283RFM.

SECTION 2. That to pay the cost of the aforesaid contract, the expenditure of \$35,266.00, so much thereof as may be needed, is hereby authorized from Division of Electricity, Division No. 60-07, Operating Fund 550, OCA Code 606715, Object Level Three 6620.

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after adoption if the Mayor neither approves nor vetoes the same.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

**ORD. NO. 1435-02**

To authorize the reimbursement to the Division of Electricity for material, labor and equipment costs incurred in the installation of urban infrastructure street lighting projects; to authorize the expenditure of \$81,368.96 from the Voted Street Lighting and Electricity Distribution Improvement Fund; and to declare an emergency. (\$81,368.96)

WHEREAS, the Division of Electricity has incurred costs relating to the installation of urban infrastructure street lighting improvement projects for Floral Avenue/Fairmont, Second Avenue School, Mound/Linwood/Linwood, Harrison West, Central/Broad to McKinley, Douglas School, and Cleveland Avenue; and

WHEREAS, these projects are included in the Urban Infrastructure Recovery Program; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Electricity, in that it is immediately necessary to reimburse the Division of Electricity for costs incurred relating to the installation of various urban infrastructure street lighting projects for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That reimbursement to the Division of Electricity is hereby authorized for material, labor and equipment costs incurred in the installation of various urban infrastructure street lighting improvements in the amount of \$81,368.96.

SECTION 2. That to pay the cost of the aforesaid reimbursement, the expenditure of \$81,368.96, or so much thereof as may be needed, is hereby authorized from the Division of Electricity, Division No. 60-07, Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvement Fund 553, Project 440007, OCA Code 644369, Object Level Three 6625.

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

**ORD. NO. 1436-02**

To authorize the Director of Public Utilities to modify the professional engineering services contract with Malcolm Pirnie, Inc. for the Wastewater Treatment Facilities Upgrade, General Program, for the Division of Sewerage and Drainage; to amend the 2001 Capital Improvements Budget; to appropriate and authorize the transfer of funds from the Sewerage System Reserve Fund to a wastewater treatment capital fund; to authorize the expenditure of \$854,500.00 from the 1991 Voted Sanitary Bond Fund; and to declare an emergency. (\$854,500.00)

WHEREAS, Contract No. XC817991 was authorized by Ordinance No. 0251-97, passed February 10, 1997; and

WHEREAS, it is immediately necessary to modify Contract No. XC817991 to provide funds for continuing performance of existing contract tasks for the Capital Improvements Program during the period from April 2002 through March 2003; and

WHEREAS, it is immediately necessary to amend the 2001 Capital Improvements Budget to provide sufficient authority for establishing, increasing, and/or decreasing a capital project account; and

WHEREAS, it is immediately necessary to both appropriate funds from the Sewerage System Reserve Fund and transfer said funds into a Division of Sewerage and Drainage capital improvements fund; and

WHEREAS, the funding method for this expenditure is a temporary measure until such time as the City sells notes or bonds for the above stated purpose; and

WHEREAS, The aggregate principal amount of obligations which the City will incur to finance this project is presently expected not to exceed \$854,500.00; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities, in that it is immediately necessary to authorize the Director of Public Utilities to modify Contract No. XC817991 at the earliest practicable date for the immediate preservation of the public health, peace, property and safety; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Director of Public Utilities be, and hereby is, authorized to modify Contract No. XC817991 with Malcolm Pirnie, Inc., for Overall Engineering Coordination Services for the Wastewater Treatment Facilities Upgrade, General Program, in accordance with the terms and conditions as shown on the Modification on file in the office of the Division of Sewerage and Drainage.

Section 2. That the 2001 Capital Improvements Budget Ordinance No. 0726-01 is hereby amended and increased as follows, to provide sufficient budget authority for the execution of the modification of the professional engineering contract stated in Section 1:

**CURRENT:**

| <u>PROJECT NUMBER</u> | <u>PROJECT TITLE</u>           | <u>2001 BUDGET AMOUNT</u> |
|-----------------------|--------------------------------|---------------------------|
| 650360                | WWTFs Upgrade, General Program | \$995,000                 |

**AMENDED TO:**

| <u>PROJECT NUMBER</u> | <u>PROJECT TITLE</u>           | <u>2001 BUDGET AMOUNT</u> | <u>CHANGE AMOUNT</u> |
|-----------------------|--------------------------------|---------------------------|----------------------|
| 650360                | WWTFs Upgrade, General Program | \$1,849,500               | \$854,500            |

Section 3. That from the unappropriated monies in the Sewerage System Reserve Fund, Fund 654, and from all monies estimated to come into said fund from any and all sources, and unappropriated for any other purpose during the fiscal year ending December 31, 2002, the sum of \$854,500.00 is hereby appropriated to the Division of Sewerage and Drainage, Division 60-05. Object Level One 10. Object Level Three 5501, OCA Code 901553.

Section 4. That the City Auditor is hereby authorized to transfer said funds to the proper capital improvements fund for the Overall Engineering Coordination Services for the Wastewater Treatment Facilities Upgrade, General Program, Project 650360, at such time as is deemed necessary by him, and to expend said funds or so much thereof as may be necessary.

Section 5. That \$854,500.00 is hereby appropriated to the Division of Sewerage and Drainage, Division 60-05. 1991 Voted Sanitary Bond Fund, Fund 664, OCA Code 650360, Object Level Three 6678, for the Overall Engineering Coordination Services for the Wastewater Treatment Facilities Upgrade, General Program, Project 650360.

Section 6. That upon obtaining other funds for the purpose of funding wastewater treatment facilities capital improvements work, the City Auditor is hereby authorized to repay the Sewerage System Reserve Fund the amount transferred under Section 4., above; and said funds are hereby deemed appropriated for such purpose.

Section 7. That the City Auditor is authorized to make any accounting changes to revise the funding source for any contract or contract modifications associated with expenditure of the funds transferred under Section 4., above.

Section 8. That the City intends that this ordinance constitutes an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations promulgated pursuant to the Internal Revenue Code of 1986, as amended.

Section 9. That the expenditure of \$854,500.00, or as much thereof as may be needed, be and the same hereby is authorized from the 1991 Voted Sanitary Bond Fund, Fund 664, Division 60-05, Division of Sewerage and Drainage, OCA Code 650360, Object Level Three 6678, Project No. 650360. in the amount of \$854,500.00, to pay the cost of this contract modification.

Section 10. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

#### **ORD. NO. 1437-02**

To authorize and direct the Director of Public Safety to enter into various multiple-year contracts with Medtronic Physio-Control Corporation for product support service for Medtronic Physio-Control LifePak defibrillator/monitor/pacemakers with battery support systems; in accordance with the provisions of sole source procurement; to authorize the expenditure of \$33,744.00 and to declare an emergency. (\$33,744.00)

WHEREAS, the Division of Fire carries Medtronic Physio-Control LifePak defibrillators/monitors/pacemakers on its Emergency Medical and first responder vehicles in order to assess and deal with cardiovascular emergencies; and

WHEREAS, this highly specialized and technical equipment requires service support and warranty work as specified by and provided only by the manufacturer, Medtronic Physio-Control Corporation; and

WHEREAS, this product support service has been provided in previous years solely by the manufacturer in order to adhere to warranty regulations and to insure that repairs were in accordance with the manufacturer's specifications; and

WHEREAS, for the aforementioned reasons, it is now necessary to enter into various multiple-year contracts with the manufacturer, Medtronic Physio-Control, for continuing product support service for various models of LifePak defibrillators/monitors/pacemakers with battery support systems; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Fire, Department of Public Safety, in that it is immediately necessary to enter into various multiple-year contracts for product support service for LifePak equipment used on Emergency Medical vehicles, in accordance with the provisions of Section 329.07(c) the Columbus City Codes, thereby preserving the public health, peace, property, safety and welfare; now, therefore,

#### **BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS**

Section 1. That the Director of Public Safety be and he is hereby authorized and directed to enter into various multiple-year contracts with Medtronic Physio-Control Corporation for product support service for various models of LifePak defibrillators/monitors/pacemakers with battery support systems.

Section 2. That this Council finds it is in the best interest of the City of Columbus that this expenditure be in accordance with the provisions of Section 329.07(c), of the Columbus City Codes to permit the authorization to enter into various multiple-year contracts with Medtronic Physio Control Corporation for LifePak equipment product support service for the Division of Fire.

Section 3. That the expenditure of \$33,744.00, or so much thereof as may be necessary, is hereby authorized from the funds available within the Division of Fire General Fund Budget as follows:

| Division | Fund | Object Level 1 | Object Level 3 | OCA    | Amount      |
|----------|------|----------------|----------------|--------|-------------|
| 3004     | 010  | 03             | 3372           | 301531 | \$33,744.00 |

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves or vetoes the same.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

#### **ORD. NO. 1438-02**

To authorize the Columbus Fire Chief to accept a grant award from Wal-Mart, Inc. for the Neighborhood Heroes program, to appropriate \$2,400.00 from the unappropriated balance of the Special Revenue Private Grants Fund, and to declare an emergency. (\$2,400.00)

WHEREAS, it is in the best interest for the Fire Chief to accept a grant award for the Division of Fire from Wal-Mart, Inc. for the Safe Neighborhood Heroes program; and

WHEREAS, it is necessary to appropriate funds for said grant; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Fire, Department of Public Safety, in that it is necessary to authorize and direct the grant acceptance and appropriation of funds for the grant for the preservation of the public health, peace, property, safety, and welfare: now, therefore,

#### **BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS**

Section 1. That the Fire Chief be and he is hereby authorized and directed to accept a grant award in the amount of \$2,400.00 from Wal-Mart, Inc. for the Safe Neighborhood Heroes program.

Section 2. That from the unappropriated monies in the Special Revenue Private Grants Fund, Fund No. 291, and from any and all sources estimated to come into said fund and unappropriated for any other purpose during the fiscal year ending December 31, 2002, the sum of \$2,400.00 is appropriated to the Division of Fire as follows:

| Division | Fund | Object Level 3 | OCA Code | Amount     |
|----------|------|----------------|----------|------------|
| 3004     | 291  | 2211           | 342006   | \$1,200.00 |
| 3004     | 291  | 2207           | 342005   | \$1,200.00 |

Section 3. That the monies in Section 2 shall be paid upon order of the Director of Public Safety; and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

**ORD. NO. 1439-02**

To authorize and direct the Director of Public Safety to renew the contract with Metropolitan Towing and Storage, Inc. for the purpose of towing of vehicles from City Streets as requested by the Division of Police; to authorize the expenditure of \$614,734.00 from the General Fund; and to declare an emergency. (\$614,734.00)

WHEREAS, the Division of Police wishes to renew the contract with Metropolitan Towing and Storage, Inc. in order to continue towing operation through December 31, 2002.

WHEREAS, formal bids was held for the purpose of towing vehicles from the City streets as requested by the Division of Police on August 15, 2001, and

WHEREAS, the original contract allows for a two year renewal option and the City wishes to exercise the first year renewal; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Police, Department of Public Safety, in that it is immediately necessary to renew the contract for the towing of city vehicles from the City streets thereby preserving the public peace, property, health, safety and welfare; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS**

Section 1. That the Director of Public Safety be and is hereby authorized and directed to renew the contract with Metropolitan Towing and Storage, Inc. for the purpose of towing vehicles from the City streets for the Division of Police, for one (1) year period effective September 1, 2002.

Section 2. That the expenditure of \$614,734.00 or so much thereof as may be needed, be and the same is hereby authorized as follows:

| <u>DIV</u> | <u>FUND</u> | <u>OBJ.LEV 1</u> | <u>OB J. LEV 3</u> | <u>OCM</u> |
|------------|-------------|------------------|--------------------|------------|
| 30-03      | 010         | 03               | 3355               | 300368     |

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

**ORD. NO. 1440-02**

To appropriate \$850,000.00 within the Municipal Motor Vehicle License Tax Fund and authorize the expenditure of the same amount therein for the Transportation Division; to authorize the Director of Finance to issue blanket purchase orders with American Rock Salt Co., LLC in the amount of \$800,000.00 and Cargill Inc. - Deicing Technology in the amount of \$50,000.00 for the purchase of rock salt in accordance with the terms and conditions of the citywide universal term contracts, and to declare an emergency. (\$850,000.00)

WHEREAS, the Transportation Division is responsible for snow and ice control and removal on the City's roadway system, and

WHEREAS, rock salt is used in this operation, and

WHEREAS, bidding and establishing purchase orders now enables the City to take advantage of favorable pricing for rock salt, and

WHEREAS, the Purchasing office established citywide universal term contracts with American Rock Salt Co., Inc. and Cargill Inc. - Deicing Technology for the purchase of rock salt according to the competitive bid process, and

WHEREAS, it is necessary to appropriate funds for this expenditure, and

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department, Transportation Division, in that it is immediately necessary to authorize the Finance Director to issue blanket purchase orders for the purchase of rock salt, thereby preserving the public health, peace, property, safety, and welfare; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS**

Section 1. That the sum of \$850,000.00 is hereby appropriated from the unappropriated balance of the Municipal Motor Vehicle License Tax fund no. 266, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2002, to the Transportation Division, Dept./Div. 59-09, OCA Code 590266 and Object Level Three 2200.

Section 2. That the expenditure of \$850,000.00, or so much thereof as may be needed, is hereby authorized from the Municipal Motor Vehicle License Tax Fund 266, Dept./Div. 59-09, OCA Code 590266, Object Level Three 2192, for the purchase of rock salt and to pay the cost thereof.

Section 3. That the Director of Finance is hereby authorized to issue blanket purchase orders with American Rock Salt Co., LLC, P.O. Box 190, Mt. Morris, NY 14510 for \$800,000.00, and with Cargill Inc. - Deicing Technology, 24950 Country Club Blvd., Suite 450, North Olmsted, Ohio 44070 for \$50,000.00, for the purchase of rock salt for the Transportation Division, in accordance with the specifications of the citywide universal term contracts.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

**ORD. NO. 1441-02**

To authorize the transfer of \$350,000.00 between projects within the Voted 1995, Voted 1999 Streets and Highways Fund and expenditure of the same amount therein; to authorize the Director of Public Service to modify and increase the construction contract with McDaniel's Construction Corp., Inc., for the 1997-1998 Wheelchair Ramps Phase 4B West project for the Transportation Division; and to declare an emergency. (\$350,000.00)

WHEREAS, contract EA-031200 was authorized by ordinance no. 1114-01, passed on June 25, 2001, was executed on July 2, 2001, and was approved by the City Attorney on July 5, 2001; and

WHEREAS, it is necessary to modify this contract to provide for additional work for the 1997 - 1998 Wheelchair Ramps Phase 4B West project; and

WHEREAS, this modification is funded by the reduction of costs for work that will be non-performed under the 2000 Wheelchair Ramps, Central B (contract No. EA-026001) and transferred from the Voted 1995, Voted 1999 Streets and Highways Fund for this project; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Transportation Division, in that the contract should be modified and increased immediately so that the work may proceed without delay, thereby preserving the public health, peace and safety; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That funds shall be transferred between projects within the Voted 1995, Voted 1999 Streets and Highways Fund no. 704, for the Transportation Division, Dept./Div. 59-09, Object Level Three 6631, as follows:

**TRANSFER FROM:**

|                |           |                 |                |
|----------------|-----------|-----------------|----------------|
| <u>Project</u> |           | <u>OCA Code</u> | <u>Amount:</u> |
| 530087         | ADA Ramps | 530087          | \$350,000.00   |

**TRANSFER TO:**

|                |             |                  |                |
|----------------|-------------|------------------|----------------|
| <u>Project</u> |             | <u>OCA Code:</u> | <u>Amount:</u> |
| 530282         | Resurfacing | 644385           | 350,000.00     |

SECTION 2. That the Director of Public Service is hereby authorized to modify and increase contract EA-031200 with McDaniel's Construction Corp., Inc., 1069 Woodland Avenue, Columbus, Ohio by \$350,000.00 for additional work in accordance with the terms as shown on the modification on file in the office of the City Engineer, which are hereby approved.

SECTION 3. That the sum of \$350,000.00, or so much thereof as may be needed, is hereby authorized to be expended from the Voted 1995, Voted 1999 Streets and Highways Fund no. 704, for the Transportation Division, Dept./Div. 59-09, OCA Code 644385, Object Level Three 6631 and Project 530282.

SECTION 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

**ORD. NO. 1442-02**

To authorize and direct the Board of Health to enter into contract with the Franklin County Board of Health to authorize the expenditure of \$151,000 from the Health Department Grants Fund, and to declare an emergency. (\$151,000)

WHEREAS, the Franklin County Board of Health will establish a public health infrastructure; and,

WHEREAS, this contract is necessary per the requirements of the Ohio Department of Health, Public Health Infrastructure proposal; and,

WHEREAS, an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to authorize this contract for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the Board of Health is hereby authorized and directed to enter into contract with the Franklin County Board of Health for the period August 31, 2002 through August 30, 2003.

SECTION 2. This ordinance is in accordance with Section 329.02 of the Columbus City Code.

SECTION 3. That to pay the cost of said contract the expenditure of \$151,000 is hereby authorized from the Health Department Grants Fund, Fund No. 251, Department No. 50, OCA 502045, Object Level One 03, Object Level Three 3336.

SECTION 4. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

**ORD. NO. 1443-02**

To authorize a supplemental appropriation of \$47,000 from the unappropriated balance of the Health Department Grants Fund for the Child & Family Health Services (CFHS) grant program, and to declare an emergency. (\$47,000)

WHEREAS, supplemental appropriation is needed in the areas of personnel and supplies for the period ending September 30, 2002, due to increased fee revenues; and,

WHEREAS, this ordinance is submitted as an emergency so as to allow the financial transaction to be posted in the City's accounting system as soon as possible. Up to date financial posting promotes accurate accounting and financial management; and,

WHEREAS, an emergency exists in the usual daily operation of the Health Department in that it is immediately necessary to appropriate the funds for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the sum of \$47,000 is hereby authorized and directed to be appropriated from the unappropriated balance in the Health Department Grants Fund, Fund No. 251, and from all monies estimated to come into said fund from any and all sources during the 12 months ending September 30, 2002, to the Health Department, Department No. 50-01, Grant No. 501018, as follows:

|                  |                         |               |                 |
|------------------|-------------------------|---------------|-----------------|
| <u>Grant No.</u> | <u>Object Level One</u> | <u>OCA</u>    | <u>Amount</u>   |
| 501018           | 01                      | 501018        | \$40,500        |
| 501018           | 02                      | 501018        | \$ 6,500        |
|                  |                         | <b>Total:</b> | <b>\$47,000</b> |

SECTION 2. That the monies appropriated in the foregoing Section 1 shall be paid upon the order of the Health Commissioner, and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

SECTION 3. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

**ORD. NO. 1444-02**

To authorize the Board of Health to enter into a contract with Pharmacy People, Inc. for the provision Of pharmacist services for the Tuberculosis Clinic; to authorize the expenditure of \$50,000.00 from the Health Special Revenue Fund and the Health Department Grants Fund to pay the cost thereof; and to declare an emergency. (\$50,000.00)

WHEREAS, proposals for pharmacist services for the T.B. Clinic were solicited through advertisement in the City Bulletin; and,  
 WHEREAS, Pharmacy People, Inc. was the sole respondent to the request for proposals for the pharmacist services; and,  
 WHEREAS, Pharmacy People, Inc. has provided quality services under a current contract with the Health Department; and,  
 WHEREAS, an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to enter into a contract with Pharmacy People, Inc. for the preservation of the public health, peace, property, safety and welfare; now, therefore,  
**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS**

SECTION 1. That the Board of Health is hereby authorized to enter into a contract with Pharmacy People, Inc. for pharmacist services for the Ben Franklin Tuberculosis Clinic for the period October 1, 2002 through September 30, 2003.

SECTION 2. That the expenditure of \$50,000 is hereby authorized from the Health Special Revenue Fund and the Health Department Grants Fund, Department of Health, Division No. 50-01, Object Level One 03, Object Level Three 3351 as follows:

| <u>Fund</u>            | <u>OCA Code</u> | <u>Grant No.</u> | <u>Amount</u>      |
|------------------------|-----------------|------------------|--------------------|
| 250                    | 501882          |                  | \$36,000.00        |
| 251                    | 501032          | 501032           | 14,000.00          |
| <b>Total Ordinance</b> |                 |                  | <b>\$50,000.00</b> |

SECTION 3. That this contract is awarded in accordance with Section 329.11 of the Columbus City Code.

SECTION 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

**ORD. NO. 1445-02**

To authorize and direct the Board of Health to modify and increase a contract with Children's Hospital for the provision of a WIC clinic; to authorize the expenditure of \$1,240 from the Health Department Grants Fund, and to declare an emergency. (\$ 1,240)

WHEREAS, Contract No's. DL002057 and DL003030 authorized the expenditure of \$268,000 to Children's Hospital to staff and operate a WIC clinic in accordance with State WIC guidelines; and,

WHEREAS, additional work is needed to continue these services through September 30, 2002;and,

WHEREAS, an emergency exists in the usual daily operation of the Health Department in that it is immediately necessary to modify and increase said contract with Children's Hospital for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore,  
**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS**

SECTION 1. That the Board of Health is hereby authorized and directed to modify Contract No. DL002057 with Children's Hospital to provide a WIC clinic for the period of October 1, 2001 through September 30, 2002, in an amount not to exceed \$1,240.

SECTION 2. That the expenditure of \$1,240 is hereby authorized from the Health Department Grants Fund, Fund No. 251, Department of Health, Department No. 50-01, Object Level One 03, Object Level Three 3351, OCA No. 501016, Grant No. 501016.

SECTION 3. That this modification and increase is awarded in accordance with Section 329.13 of the Columbus City Code.

SECTION 4. That the City Auditor is authorized to make any accounting changes necessary to ensure that this contract is properly accounted for and recorded accurately on the City's financial records.

SECTION 5. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

**ORD. NO. 1446-02**

To authorize the Board of Health to enter into a contract with The Ohio State University to provide health promotion services, to waive the City Code provisions for competitive bidding, to authorize the expenditure of \$32,587 from the Health Department Grants Fund. (\$32,587.00)

WHEREAS, the Columbus Health Department has a need for health promotion services for the Health Assessment, Planning and Promotion Cluster; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS**

SECTION 1. That the Board of Health is hereby authorized to enter into a contract with OSU for health promotion services for the period July 1, 2002 through June 30, 2003.

SECTION 2. That the expenditure of \$32,587.00 is hereby authorized from the Health Department Grants Fund, Fund No. 251, Project No. 508001, Division No. 50-01, Object Level One 03, Object Level Three 3336, OCA Code 500066.

SECTION 3. That Section 329.09 of the Columbus City Code is hereby waived.

SECTION 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed as amended September 16, 2002, Matthew D. Habash, President of Council / Approved as amended September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

**ORD. NO. 1450-02**

To amend portions of Ordinance No. 0401-02, to authorize and direct the Director of Recreation and Parks to grant consent to various organizations to apply for permission to sell alcoholic beverages at the 2002 Hineygate Parties and the Varsity Club Block Parties on various dates in 2002, and to declare an emergency.

WHEREAS, Ordinance No. 0401-02 authorized the Director of Recreation and Parks to grant permission to Kids'n Kamp and Neighborhood Services, Inc. to apply for temporary liquor permits for the Varsity Club Block Parties; and

WHEREAS, the Varsity Club events will now include Maynard Avenue United Methodist Church, the North Side Child Care Center, and the Boys & Girls Club of Columbus, Inc.; and

WHEREAS, the organizer of the Hineygate Parties wish permission to apply for temporary liquor permits for their events which will take place during 2002; and,

WHEREAS, following precedent, the organizers of these events wish to sell alcoholic beverages at said events; and

WHEREAS, to this end, permission from the City of Columbus is required as it is the property owner involved and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to enter into said contract for the preservation of public health, peace, property and safety; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That Section 1, numbers 7 and 8, of Ordinance No. 0401-02 passed April 1, 2002, is hereby amended to change the non-profit organizations obtaining temporary liquor permits for the Varsity Club Block Parties in 2002.

SECTION 2. That the Director of Recreation and Parks be and is hereby authorized and directed to grant consent on behalf of the City of Columbus to the following organizations to apply for appropriate liquor permits to enable the latter to sell alcoholic beverages during the hours specified in said permits and at specified locations during their 2002 Hineygate and Varsity Club Block Parties:

- 1) Creative Living, September 28;
- 2) Maynard Avenue United Methodist Church, September 28;
- 3) Children's Hunger Alliance, October 12;
- 4) Maynard Avenue United Methodist Church, October 12;
- 5) Canine Companions, October 26;
- 6) North Side Child Care Center, October 26;
- 7) Make-A-Wish Foundation of Central Ohio, November 2;
- 8) North Side Child Care Center, November 2;
- 9) Columbus Cancer Clinic, November 23
- 10) Boys & Girls Club of Columbus, Inc., November 23.

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made apart hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

#### **ORD. NO. 1451-02**

To authorize the appropriation of \$333,669 from the unappropriated balance of the Municipal Court special projects fund to provide for Court security expenses; and to declare an emergency. (\$333,669.00)

WHEREAS, it is desirable to establish appropriations within the special revenue fund known as the Municipal Court Judges special projects fund for fiscal year 2002; and

WHEREAS, this ordinance is submitted as an emergency so as to allow the financial transaction to be posted in the city's accounting system as soon as possible; and

WHEREAS, an emergency exists in the usual daily operation of the Court in that it is immediately necessary to authorize the appropriation of funds within the Municipal Court Judges special projects fund to provide for funding of all security related expenses thereby preserving the public health, peace, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the sum of \$333,669 be and is hereby appropriated from the unappropriated balance of the fund known as the Municipal Court special projects fund, fund number 226, and from all monies estimated to come into said fund from any and all sources during the fiscal year ending December 31, 2002, to the Municipal Court Judges, Department 25, OCA 226001 as follows:

| <u>Object Level 1</u> | <u>Object Level 3</u> | <u>Amount</u>    |
|-----------------------|-----------------------|------------------|
| 01                    | 1101                  | \$48,771         |
| 03                    | 3336                  | 284,898          |
|                       | <b>Total</b>          | <b>\$333,669</b> |

Section 2. That the monies appropriated in the foregoing Section 1 shall be paid upon order of the Franklin County Municipal Court Judges; and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

Section 3. For the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk



**RESOLUTIONS****RES NO. 163X-02**

To accept the amounts and rates by the Franklin County Budget Commission for the City's Tax Budget for 2003 and to declare an emergency.

Whereas, this Council, in accordance with the provisions of law, has previously adopted a tax budget for the fiscal year commencing January 1, 2002; and

Whereas, the Budget Commission of Franklin County, Ohio, has certified its action to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by the Council, and what part thereof is without and what part is within the ten mill limitation; and

Whereas, an emergency exists in the usual daily operation of the City Government in that it is immediately necessary to accept the amounts and rates fixed by the County Budget Commission for the City's tax budget for the year 2003 for the immediate preservation of the public peace, health, property and safety; now, therefore,

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS**

Section 1. That the amounts and rates as determined by the Franklin County Budget Commission in its certification, be and the same are hereby accepted.

Section 2. Be it further resolved that there be and is hereby levied on the tax duplicate of said City the rates of each tax necessary to be levied within and without the ten mill limitation, as set forth in SCHEDULE A. as follows:

**SCHEDULE A**

**SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX  
APPROVED BY THE BUDGET COMMISSION.  
AND COUNTY AUDITOR'S ESTIMATED TAX RATES**

| Fund           | Amount to be Derived<br>from Levies Outside<br>10 Mil Limitation | Amount Approved by<br>Budget Commission Inside<br>10 Mil Limit | County Auditor's Estimate<br>of Full Tax Rate to be<br>Levied Inside 10 Mil Limit | County Auditor's Estimate of<br>Full Tax Rate to be Levied<br>Outside 10 Mil Limit |
|----------------|--|--|---|--|
| General Fund   |  | \$ 33,215,943.32   | 2.54  |  |
| Police Pension |  | 3,944,615.56   | .30   |  |
| Fire Pension   |  | 3,944,615.56   | .30   |  |
| <b>TOTAL</b>   |  | <b>\$ 41,105,174.44</b>  | <b>3.14 mil</b>   |  |

Section 3. Be it further resolved that the Clerk of this Council, be and he is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this resolution is hereby declared to be an emergency measure and shall take effect and be in force from and after its adoption and approval by the Mayor, or ten days after adoption if the Mayor neither approves nor vetoes the same.

Adopted September 16, 2002 Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor /  
Attest, Timothy McSweeney, City Clerk

**RES NO. 164X-02**

To recognize and commend all those involved in the establishment of the Mid Ohio Stranger Abduction Alert Program.

WHEREAS, the Franklin County Ohio Chiefs Association, the Ohio Attorney General's Office, and Franklin County Sheriff's Office in conjunction with various Mid Ohio law enforcement agencies as well as the Central Ohio Broadcast Media established in October of 2001 the Mid Ohio Stranger Abduction Alert Program (MOSAA); and

WHEREAS, modeled after a similar alert program in the Dallas-Fort Worth Texas area the Mid Ohio Stranger Abduction Alert Program became another tool in the arsenal for helping the public and the police rescue stranger abducted children; and

WHEREAS, fortunately a rare occurrence the MOSAA Program focuses of children under the age of 18 abducted by a stranger where there is a description of the perpetrator, vehicle and or its license number whereby participating news media are alerted and in turn broadcast this valuable information as often as possible every hour up to two hours or longer as needed after a verified alert; and

WHEREAS, the Mid Ohio Stranger Abduction Alert Program is not designed to handle missing adults, custodial child takings, runaway children or children reported missing more than 24 hours after their disappearance; and

WHEREAS, the MOSAA Program during its first year of operation trained over 90 police officers from 25 Central Ohio Police Departments on the proper use of issuing a stranger abduction alert; and

WHEREAS, the MOSAA is strictly a voluntary program by participating law enforcement agencies and news media, now therefore  
**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS**

That it does hereby recognize and commend all those involved in the establishment of the Mid Ohio Stranger Abduction Alert Program (MOSAA).

Be it further resolved that a copy of this resolution be presented to Mid Ohio Stranger Abduction Alert Program.

Adopted September 16, 2002 Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor /  
Attest, Timothy McSweeney, City Clerk

**RES NO. 165X-02**

To recognize the Columbus Irish Historical Marker Committee and the dedication of the first Irish Historical Marker in the region.

WHEREAS, September 15, 2002 marks the official dedication of the first Irish Historical Marker in the Greater Columbus region; and

WHEREAS, the idea for the Irish Memorial Marker was conceived by Julie O'Keefe McGhee, who quickly gained the enthusiastic support of the Ancient Order of Hibernians, the Daughters of Erin, the Emerald Society of Columbus, the Gaelic League of Central Ohio, the Greater Columbus Irish Cultural Foundation, the Irish Living History Society of Central Ohio, the Ladies of the Ancient Order of Hibernians and the Shamrock Club of Columbus; and

WHEREAS, together these eight great Irish organizations formed the Irish Historical Marker Committee to raise the funds to build the beautifully crafted historic marker before us today; and

WHEREAS, today we also recognize Billy Naghten, the first Irish American member of the Columbus City Council and namesake of the street also known as Irish Broadway; and

WHEREAS, we recognize the Irish Historical Marker Committee and join all eight Irish organizations in one voice with our Clan na' Gael, One Family Irish, to dedicate the first Irish Historical marker in the Franklin County region, now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS

That this Council does hereby recognize the dedication of the Columbus Irish Historical Marker.

BE IT FURTHER RESOLVED

That a copy of this resolution be presented to Julie O'Keefe McGhee and the Irish Historical Marker Committee.

Adopted September 16, 2002 Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor /

Attest, Timothy McSweeney, City Clerk

**RES NO. 166X-02**

To recognize and congratulate the Kids Voting Ohio on its "Pledge for Democracy" campaign in Central Ohio.

WHEREAS, Kids Voting Ohio is a non-profit, nonpartisan, grassroots organization dedicated to securing democracy for the future by involving youth in the election process; and

WHEREAS, Students learn about responsible citizenship and the democratic process by voting at actual polling places with adults on Election Day; and

WHEREAS, The Kids Voting "Pledge for Democracy" campaign is an ongoing effort between Kids Voting Ohio and community leaders to increase voter turnout; and

WHEREAS, From September 16th through October 7th, students will register adult voters to participate in the upcoming elections and ask them commit to a "Kids Voting Pledge" to serve our country by maintaining an active role in the democratic process; and

WHEREAS, This year, Kids Voting will reach nearly 80,000 students, 130 schools, 1,100 teachers and 1,500 volunteers in Central Ohio, now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS

That this Council does hereby recognize Kids Voting Ohio and all of its efforts to promote citizen participation in the election process.

Adopted September 16, 2002 Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor /

Attest, Timothy McSweeney, City Clerk

**BIDS WANTED - PURCHASING OFFICE**

Each proposal shall contain the full name and address of every person, firm or corporation interested in the same, and if a corporation, the name and address of the President and Secretary.

**EQUAL OPPORTUNITY CLAUSE:**

Each responsive bidder shall submit, with its bid, a contract compliance certification number or a completed application for certification. Compliance with the provisions of Article 1, Title 39, is a condition of the contract. Failure to comply with this Article may result in cancellation of the contract.

**WITHHOLDING OF INCOME TAX:** All bidders are advised that in order for a contract to bind the City, each contract must contain the provisions found in Section 361.34 C.C.C. with regard to income taxes due or payable to the City of Columbus for wages, salaries and commissions paid to the contractor's employees as well as requiring those contractors to ensure that subcontractors withhold in a like manner.

**DELINQUENT PERSONAL PROPERTY TAX:** All bidders are charged with notice of Section 5719.042 of the Ohio Revised Code and agree that if this contract is awarded to them, the successful bidder, prior to the time the contract is entered into, will submit to the City Auditor the affidavit required by said section of the Ohio Revised Code. Said affidavit, when filed with City Auditor, is thereby incorporated into and made a part of this contract and no payment shall be made with respect to this contract unless such statement has been so incorporated as a part thereof.

**LOCAL CREDIT:** For all contracts except professional service contracts: In determining the lowest bid for purpose of awarding a contract not exceeding \$20,000.00, a local bidder shall receive a credit equal to five percent (5%) of the lowest bid submitted by a non-local bidder. In determining the lowest bid for purposes of awarding a contract in excess of \$20,000.00, a local bidder shall receive a credit equal to one percent (1%) or \$20,000.00, whichever is less, of the lowest bid submitted by a non-local bidder. A local bidder is a person, corporation or business which (a) has listed its principal place of business as being located within the corporation limits of the City of Columbus or the County of Franklin in official documents filed with Secretary of State, State of Ohio, or a valid vendor's license which indicates its place of business is located within the corporation limits of the City of Columbus or County of Franklin.

FOR COPIES OF ANY OF THE FOLLOWING BID PROPOSAL CALL (614) 645-7599

**BID OPENING DATE 10/03/02****BID FOR INTERGRATED PEST MANAGEMENT (PEST, RODENT & CRITTER CONTROL)**

Sealed proposals for the following items will be received by the Purchasing Office at its office at 50 West Gay Street, 1<sup>st</sup> Floor, Columbus, Ohio 43215, until 11:00 a.m. Local Time on October 3, 2002 and at that time will be publicly opened and read. Proposals received after that time for opening of bid will be returned to the bidder unopened. The City will not be responsible for late mail deliveries.

Envelopes must be plainly marked: Purchasing

Bid for Intergrated Pest Management (Pest, Rodent & Critter Control) Solicitation No. SA000327BGB in accordance with specifications on file in the Purchasing Office.

Joel Taylor, Finance Director

(09/21/02; 09/28/02)

**BIDS WANTED - OTHER DIVISIONS**

Each proposal shall contain the full name and address of every person, firm or corporation interested in the same, and if a corporation, the name and address of the President and Secretary.

**EQUAL OPPORTUNITY CLAUSE:**

Each responsive bidder shall submit, with its bid, a contract compliance certification number or a completed application for certification. Compliance with the provisions of Article 1, Title 39, is a condition of the contract. Failure to comply with this Article may result in cancellation of the contract.

**WITHHOLDING OF INCOME TAX:** All bidders are advised that in order for a contract to bind the City, each contract must contain the provisions found in Section 361.34 C.C.C. with regard to income taxes due or payable to the City of Columbus for wages, salaries and commissions paid to the contractor's employees as well as requiring those contractors to ensure that subcontractors withhold in a like manner.

**DELINQUENT PERSONAL PROPERTY TAX:** All bidders are charged with notice of Section 5719.042 of the Ohio Revised Code and agree that if this contract is awarded to them, the successful bidder, prior to the time the contract is entered into, will submit to the City Auditor the affidavit required by said section of the Ohio Revised Code. Said affidavit, when filed with City Auditor, is thereby incorporated into and made a part of this contract and no payment shall be made with respect to this contract unless such statement has been so incorporated as a part thereof.

**LOCAL CREDIT:** For all contracts except professional service contracts: In determining the lowest bid for purpose of awarding a contract not exceeding \$20,000.00, a local bidder shall receive a credit equal to five percent (5%) of the lowest bid submitted by a non-local bidder. In determining the lowest bid for purposes of awarding a contract in excess of \$20,000.00, a local bidder shall receive a credit equal to one percent (1%) or \$20,000.00, whichever is less, of the lowest bid submitted by a non-local bidder. A local bidder is a person, corporation or business which (a) has listed its principal place of business as being located within the corporation limits of the City of Columbus or the County of Franklin in official documents filed with Secretary of State, State of Ohio, or a valid vendor's license which indicates its place of business is located within the corporation limits of the City of Columbus or County of Franklin.

FOR COPIES OF ANY OF THE FOLLOWING BID PROPOSAL CALL THE LISTED DIVISION

**BID FOR DEPOSIT OF PUBLIC MONEY**

Notice is hereby given in accordance with Chapter 321 of the Columbus City Codes, 1959 to all banks, and building and loan or savings associations or companies situated in Franklin County, Ohio, whose application for deposit of public money has been approved by the Columbus Depository Commission that bids will be accepted by the City Treasurer for the deposit of inactive funds:

The City Treasurer will accept such bids by telephone (645-7727) or in person between the hours of 8:00 a.m. and 10:45 a.m. Monday through Friday. Such bids should specify the time span of the certificate of deposit, the rate of interest being offered, the amount of funds being bid upon, and the beginning and ending date for which said bid is applicable. By order of the Columbus Depository Commission.

THOMAS ISAACS, Chairman  
HUGH J. DORRIAN, Secretary  
JOEL S. TAYLOR, Member

**BID OPENING DATE 10/01/02****TURNBERRY GOLF COURSE - FOOD CONCESSIONS**

Sealed proposals will be received by the Recreation and Parks Commission of the City of Columbus, Ohio, at its office - 200 Greenlawn Avenue, - until 11:00 AM on Tuesday, October 1, 2002, and publicly opened and read immediately thereafter for: **TURNBERRY GOLF COURSE FOOD CONCESSIONS**

Copies of Bidder Information, Proposal Forms, and Contract Specifications can be obtained at: Recreation and Parks Office - Golf Section 200 Greenlawn Avenue, Columbus, Ohio 43223

Proposals shall be submitted with proposal bond forms properly executed in accordance with directions contained in the "Information to Bidders" section, together with the remaining executed proposal documents.

The proposals shall be accompanied by a proposal bond, on the form provided in the contract documents, with surety or sureties satisfactory to the Recreation and Parks Commission, or by a certified check on a solvent bank of the City of Columbus, Ohio. Such proposal bond or check shall be in the amount of \$500.00 (five hundred dollars and no cents). If the proposal bond is given by a surety company, proof of authority of the officer or agent signing the bond, together with a recent financial statement of the surety company, shall be attached. If a certified check is given, it shall be drawn payable to the order of Wayne A. Roberts, Executive Director of the Recreation and Parks Department - Columbus, Ohio. The bond or check shall be forfeited if the bidder fails to enter into a contract with the City of Columbus, Ohio, and to furnish the required performance bond within ten (10) days after notice of the acceptance of their proposal, if the award is made to said bidder. The bonds or checks of all except the highest three bidders will be returned as soon as the bids are canvassed. The bonds or checks of these highest three bidders will be held until the execution of the contract and the furnishing of the required performance bond, after which they will be returned on demand.

A performance bond (contract bond) with a satisfactory surety will be required for the faithful performance of the work.

The bidder will be required to state in full detail, on their proposal, their experience in this class of work and bids from Bidders inexperienced in food service will not be considered.

**EQUAL OPPORTUNITY CLAUSE:**

"Each responsive bidder shall submit, with its bid, a contract compliance certification number or a completed application for certification. Minority business enterprises and female business enterprises bidding on contracts shall also include a contract compliance number or a completed application for certification. Compliance with the provisions of Article I, Title 39, is a condition of the contract. Failure to comply with this Article may result in cancellation of the contract".

Proposals must be submitted on the Proposal Forms, contained in the Contract Documents and said Contract Documents containing the Proposal must be submitted in their ENTIRETY in sealed envelopes marked "Bid for Turnberry Golf Course Food Concessions" and addressed to:

RECREATION AND PARKS COMMISSION, 200 GREENLAWN AVENUE, COLUMBUS, OHIO 43223

The right is reserved by the Executive Director of Recreation and Parks to reject any or all bids.

Jerry Saunders, President, Columbus Recreation and Parks Commission

Wayne A. Roberts, Executive Director, Recreation and Parks Department

Mr. W. Scott Stanley, Golf Administrator, Columbus Municipal Golf Division

(09/14/02; 09/21/02)

**BID OPENING DATE 10/09/02**

**DORRIS AVENUE STORMWATER SYSTEM IMPROVEMENTS**

Sealed proposals will be received by the Director of Public Utilities of the City of Columbus, Ohio at the office of the Director of Public Utilities, 910 Dublin Road, Room 4105, until 3:00 p.m., Local Time, on Wednesday, OCTOBER 9, 2002, and publicly opened and read at that hour and place for the following project: DORRIS AVENUE STORMWATER SYSTEM IMPROVEMENTS C.I.P. NO. 959

The work for which proposals are invited consists of the furnishing and construction of approximately 986 feet of 24-inch storm sewer pipe and appurtenances and such other work as may be necessary to complete the contract in accordance with the plans and specifications. Copies of the Contract Documents, which include Bid Books and the Construction Plans (CC-12843) are on file at the Division of Sewerage and Drainage, Sewer System Engineering Section, Permit Office, Room No. 3044, 910 Dublin Road, Columbus, Ohio 43215-9053. The first set is available to prospective bidders at no cost with the second and subsequent sets available at a cost of \$25.00 per set on a no-refund basis. No partial units will be released.

Proposals must be submitted on the proper forms contained in the Bid Submittal Documents and the Bid Submittal Documents containing the Proposal must be submitted IN THEIR ENTIRETY in a sealed envelope marked: DORRIS AVENUE STORMWATER SYSTEM IMPROVEMENTS C.I.P. NO. 959

**PROPOSAL GUARANTY**

The bidder is required to submit a Proposal Guaranty, consisting of either a Proposal bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall not be less than ten (10) percent of the bid including all alternates submitted which increase the bid. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

**PREVAILING WAGE RATE**

Attention of the bidder is called to the special requirements which are included in the Bid Submittal Documents regarding prevailing rates of wages to be paid.

**CONTRACT PERFORMANCE AND PAYMENT BOND**

A contract performance and payment bond of 100 percent of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction & Materials Specifications, latest edition, will be required to assure the faithful performance of the work.

**CONSTRUCTION AND MATERIAL SPECIFICATIONS**

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Materials Specifications, latest edition and will become part of the terms and conditions of the contract to be awarded. Said specifications are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of said Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad Street, 3rd Floor, Columbus, Ohio 43215 (614) 645-8290; and at the office of the Director of Public Utilities, 910 Dublin Road, 4th Floor, Columbus, Ohio 43215 (614) 645-6141.

**CONTRACT COMPLIANCE REQUIREMENTS**

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification.

**BID CANCELLATION AND REJECTIONS**

The right is reserved by the Director of Public Utilities of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, to hold bids for a period of 180 days after the bid opening, and/or to advertise for new proposals, when it is in the best interest of the City.

**SUBSURFACE DATA**

No subsurface investigation was performed during the design phase of the project.

**CONTRACT COMPLETION**

The work under this contract shall be completed in a manner acceptable to the City within ^5 calendar days after the effective date of the Notice to Proceed.

**SPECIAL REQUIREMENTS**

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under the laws of any other state.

(09/21/02; 09/28/02)

**BID OPENING DATE 10/15/02**

**BID FOR CUSTODIAL SERVICES FOR THE FIRE TRAINING ACADEMY AND FIRE ADMINISTRATION BUILDING, 3639 AND 3675 PARSONS AVENUE, COLUMBUS, OHIO**

Sealed bids will be received by the Department of Public Service, Division of Facilities Management of the City of Columbus, Ohio at their office, located at 90 West Broad Street, basement. Room B16, Columbus, Ohio 43215 until 3:00 p.m. local time, on Tuesday, October 15, 2002 and publicly opened and read at the hour and place for CUSTODIAL SERVICES FOR THE FIRE TRAINING ACADEMY AND FIRE ADMINISTRATION BUILDING, 3639 AND 3675 PARSONS AVENUE, COLUMBUS, OHIO.

A pre-bid meeting will be held Thursday, October 3, 2002 at 10:00 a.m., at the Fire Training Academy, 3639 Parsons Avenue, conference room, Columbus, Ohio. The work for which bids are invited consist of providing custodial services for the Fire Training Academy and Fire Administration Building.

Copies of the Contract Documents are available in the office of Facilities Management, 90 West Broad Street, Basement Level, Room B16, Columbus, Ohio 43215 beginning Monday, September 23, 2002. The first set of contract documents are available to prospective bidders at no cost. Additional sets are available to prospective bidders at a non-refundable cost of \$25.00.

Proposals must be submitted on the proper forms contained in the Bid Documents and the Bid Documents containing the Proposals must be submitted IN THEIR ENTIRETY in a sealed envelopment marked: Bid for: CUSTODIAL SERVICES FOR THE FIRE TRAINING ACADEMY AND FIRE ADMINISTRATION BUILDING, 3639 AND 3675 PARSONS AVENUE, COLUMBUS, OHIO.

FAILURE TO RETURN THE BID PACKET AND REQUIRED INFORMATION MAY RESULT IN REJECTION OF THE PROPOSAL.  
CONTRACT BOND

A contract bond of 50 percent of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction and Materials Specifications, latest edition, will be required to assure the faithful performance of the work.

#### OSHA/EPA REQUIREMENTS

Contractors are subject to all applicable federal, state and local laws, ordinances, rules and regulations pertaining to services or products to be provided under this contract.

#### CONSTRUCTION AND MATERIALS SPECIFICATIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Material Specifications, latest edition and will become part of the terms and conditions of the contract to be awarded. Said specification are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of said Construction and Materials Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 West Broad Street, Room 301, Columbus, Ohio 43215, (614) 645-8290, at the office of the Transportation Division, 1800 East 17th Avenue, Columbus, Ohio 43219, (614) 645-3182, at the Director of Public Utilities, 910 Dublin Road, 4th Floor, Columbus, Ohio 43215, (614) 645-6141.

#### CONTRACT COMPLIANCE REQUIREMENTS AND EQUAL OPPORTUNITY CLAUSE

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification. Any questions or inquiries concerning this should be directed to the Equal Business Opportunity Commission Office.

The City of Columbus encourages the participation of Minority and female owned business enterprises. Each bidder must identify any subcontractors who are minority or female owned businesses (M/FBE's) as defined in Title 39 of the Columbus City Code along with the scope of work and anticipated cost.\* This information is gathered and monitored by the Equal Business Opportunity Commission Office (EBOCO). Please contact EBOCO (614) 645-4764 for assistance with identifying potential M/FBE subcontractors. Equal Business Opportunity Commission Office, 109 N. Front Street 4<sup>th</sup> Floor, Columbus, Ohio 43215, (614) 645-4764.

\*While the participation of minority and female owned businesses is encouraged the level of minority or female participation will not be a condition of the bid award.

#### BID CANCELLATION AND REJECTIONS

The right is reserved by the Director of Public Service of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, or to advertise for new proposals, when it is in the best interest of the City. Also, the right is reserved by the Public Service Director to hold bids for a period of 180 days after the bid opening for evaluating both the proposals and the contractors. The award of the contract may be made at any time during that period.

#### SPECIAL REQUIREMENTS

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under laws of any other state.

LINDA K. PAGE, DIRECTOR, PUBLIC SERVICE DEPARTMENT

JOHNNY B. SCALES, ADMINISTRATOR, DIVISION OF FACILITIES MANAGEMENT

(09/21/02; 09/28/02)

**PROFESSIONAL SERVICES  
REQUEST FOR PROPOSAL (RFP)  
REQUEST FOR STATEMENT OF QUALIFICATIONS (RFSQ)**

**PROPOSALS FOR CUSTOMER RELATIONSHIP MANAGEMENT, SUPPORT AND CONTACT SOLUTION**

Sealed proposals for the following item(s) will be received by the Purchasing Office at 50 West Gay Street, 1st Floor, Columbus, Ohio 43215, until 11:00a.m. Local Time on OCTOBER 17, 2002 and at that time will be publicly opened and read. Proposals received after the time of opening will be returned to the offerer unopened. The City will not be responsible for late mail or other deliveries.

Envelopes must be plainly marked: DEPARTMENT OF TECHNOLOGY.

PROPOSALS FOR CUSTOMER RELATIONSHIP MANAGEMENT, SUPPORT AND CONTACT SOLUTION. PROPOSAL NO. SA 000326JAY in accordance with specifications on file in the Purchasing Office.  
(09/14/02; 09/21/02)

**PROPOSALS FOR CLINICAL APPLICATION SOFTWARE**

Sealed proposals for the following item(s) will be received by the Purchasing Office at 50 West Gay Street, 1st Floor, Columbus, Ohio 43215, until 11:00a.m. Local Time on OCTOBER 17, 2002 and at that time will be publicly opened and read. Proposals received after the time of opening will be returned to the offerer unopened. The City will not be responsible for late mail or other deliveries.

Envelopes must be plainly marked: HEALTH DEPARTMENT

PROPOSALS FOR CLINICAL APPLICATION SOFTWARE. PROPOSAL NO. SA 000317 JY in accordance with specifications on file in the Purchasing Office.

Each proposal shall contain the full name and address of every person, firm or corporation interested in the same, and if corporation, the name and address of the President and Secretary.

EQUAL OPPORTUNITY CLAUSE: Each responsive bidder shall submit, with its bid, a contract compliance certification number or a completed application for certification. Compliance with the provisions of Article 1, Title 39, is a condition of this contract. Failure to comply with this Article may result in cancellation of the contract.

WITHHOLDING OF INCOME TAX: All Bidders are advised that in order for a contract to bind the City each contract must contain the provisions found in Section 361.34 C.C.C. with regard to income taxes due or payable to the City of Columbus for wages, salaries and commissions paid to the contractor's employees as well as requiring those contractors to ensure that subcontractors withhold in a like manner.

DELINQUENT PERSONAL PROPERTY TAX: All Bidders are charged with notice of Section 5719.042 of the Ohio Revised Code and agree that if this contract is awarded to them, the successful bidder, prior to the time the contract is entered into, will submit to the City Auditor the affidavit required by said section of the Ohio Revised Code. Said affidavit, when filed with the City Auditor, is thereby incorporated into and made part of this contract and no payment shall be made with respect to this contract unless such statement has been so incorporated as part thereof.

LOCAL CREDIT: For all contracts except professional service contracts: In determining the lowest bid for purpose of awarding a contract not exceeding \$20,000.00, a local bidder shall receive a credit equal to five percent (5%) of the lowest bid submitted by a non-local bidder. In determining the lowest bid for the purpose of awarding a contract in excess of \$20,000.00, a local bidder shall receive a credit equal to one percent (1%) or \$20,000.00, whichever is less, of the lowest bid submitted by a non-local bidder. A local bidder is a person, corporation or business which (a) has listed its principal place of business as being located within the corporation limits of the City of Columbus or the County of Franklin in official documents filed with Secretary of State, State of Ohio, or Franklin County Records Office; or (b) holds a valid vendor's license which indicates its place of business is located within the corporation limits of the City of Columbus or the County of Franklin.

Joel S. Taylor, Finance Director

(09/21/02; 09/28/02)

**PUBLIC NOTICES****NOTICE****2001-2002 MONTHLY MEETING SCHEDULE FOR THE VEHICLE FOR HIRE BOARD**

The Regular monthly meetings of the Columbus Vehicle for Hire Board will be scheduled for the last Thursday of every month at 10:00 a.m. The location of the meeting will be the License Section Conference Room at 240 Greenlawn Avenue, Columbus, Ohio 43223.

The Dates are as follows:

November 29, 2001  
December 27, 2001  
January 31, 2002  
February 28, 2002  
March 28, 2002  
April 25, 2002  
May 30, 2002  
June 27, 2002  
July 25, 2002  
August 29, 2002  
September 26, 2002  
October 31, 2002  
November 28, 2002  
December 26, 2002

The VFHB will use reasonable efforts to hold its meetings in conformity with this schedule, but the VFHB reserves the right to change the date, time, or location of any meeting; or to hold additional meetings. To confirm meeting dates, please contact Lisa Davis, Recording Secretary, in the License Section Office at (614) 645-7471; or E-mail to [lmDavis@cmhmetro.net](mailto:lmDavis@cmhmetro.net).  
**(11/01; 12/02)**

**NOTICE****2001-2002 MONTHLY MEETING SCHEDULE FOR THE COLUMBUS CHARITABLE SOLICITATION BOARD**

The Regular monthly meetings of the Columbus Charitable Solicitations Board will be scheduled for the third Thursday of every month at 10:00 a.m., with the exception of February and March, which will be the second Thursday of the month at 10:00 a.m. The location of the meeting will be the License Section Conference Room at 240 Greenlawn Avenue, Columbus, Ohio 43223.

The Dates are as follows:

November 8, 2001 (Due to Holidays)  
December 6, 2001 (Due to Holidays)  
January 17, 2002  
February 14, 2002  
March 14, 2002  
April 18, 2002  
May 16, 2002  
June 20, 2002  
July 18, 2002  
August – NO MEETING  
September 19, 2002  
October 17, 2002  
November 7, 2002 (Due to Holidays)  
December 5, 2002 (Due to Holidays)

The CSB will use reasonable efforts to hold its meetings in conformity with this schedule, but the CSB reserves the right to change the date, time, or location of any meeting; or to hold additional meetings. To confirm meeting dates, please contact Lisa Davis, Recording Secretary, in the License Section Office at (614) 645-7471

Applications can be obtained by mail: Charitable Solicitations Board; c/o License Section, 240 Greenlawn Avenue; Columbus, Ohio 43223; or phone (614) 645-7471; or E-mail to [lmDavis@cmhmetro.net](mailto:lmDavis@cmhmetro.net).  
**(11/01; 12/02)**

**OFFICIAL NOTICE****CIVIL SERVICE COMMISSION COMPETITIVE EXAMINATION ANNOUNCEMENTS  
APPLY DAILY MONDAY THROUGH FRIDAY 8:00 A.M. TO 4:30 P.M.**

The Civil Service Commission continuously administers competitive examinations. Information regarding examinations, for which the Civil Service Commission is currently accepting applications, is posted at the Commission offices located at 50 West Gay Street, 6<sup>th</sup> Floor, Columbus, Ohio.

**Please note that all visitors to the Beacon Building are required to produce a picture ID, authenticating their identity, in order to visit the applications area.** Interested applicants should regularly check this location for examination announcements. Also, please visit our website at [www.csc.cmhmetro.net](http://www.csc.cmhmetro.net)

**(1/02; 12/02)**

**EXHIBIT A****NOTICE OF REGULAR MEETINGS COLUMBUS RECREATION AND PARKS COMMISSION**

The Recreation and Parks Commission, appointed and organized under the Charter of the City of Columbus, Section 112-1 is empowered to equip, operate, direct and maintain all the existing recreational and park facilities. In addition, said Commission exercised certain powers and duties as specified in Sections 112-1 and 112-2 of the Columbus City Charter.



Please take notice that meetings of the Recreation and Parks Commission will be held at the Recreation and Parks Operations Complex conference room 420 W. Whittier Street at 8:30 a.m. on the following dates (unless otherwise posted):

Wednesday, January 9, 2002  
Wednesday, February 13, 2002  
Wednesday, March 13, 2002  
Wednesday, April 10, 2002  
Wednesday, May 8, 2002  
Wednesday, June 12, 2002  
Wednesday, July 10, 2002  
August Recess – No meeting  
Wednesday, September 11, 2002  
Wednesday, October 9, 2002  
Wednesday, November 13, 2002  
Wednesday, December 11, 2002

In the event no proper business exists the meeting may be cancelled without further notice. For further information you may contact the Recreation and Parks Department, 90 West Broad Street, Room 115, Columbus, Ohio 43215 (Telephone: [614] 645-3300).  
Wayne A. Roberts, Director

(01/02; 12/02)

**NOTICE  
MEETING SCHEDULE CITY OF COLUMBUS RECORDS COMMISSION**

The regular meetings of the City of Columbus Records Commission for the calendar year 2002 are scheduled as follows:

Monday, February 4, 2002  
Monday, May 13, 2002  
Monday, September 30, 2002

The location of these meetings will be City Hall, 90 West Broad Street, 2<sup>nd</sup> Floor, Mayor's Conference Room. They will begin promptly at 10:00 a.m.

Every effort will be made to adhere to the above schedule, but the City of Columbus Records Commission reserves the right to change the date, time or location of any meeting; or to hold additional meetings. To confirm meeting date, time and location or to obtain agenda information, contact the Office of the City of Columbus Records Commission Coordinator at (614) 645-8539.

(11/2001; 11/2002)

**CITY OF COLUMBUS RECORDS COMMISSION**

**MEETING NO. 3 – 2002**

**September 30, 2002**

**10:00 A.M.**

**MAYOR'S CONFERENCE ROOM**

**-AGENDA-**

- ROLL CALL
- OLD BUSINESS
- NEW BUSINESS

ITEM #1 – DEPARTMENT OF DEVELOPMENT, BUILDING SERVICES DIVISION – VARIOUS AMENDMENTS TO THE RETENTION SCHEDULE OF BUILDING SERVICES

ITEM #2 – 1 RECORD TO BE AMENDED TO THE RETENTION SCHEDULE OF THE TRANSPORTATION DIVISION

ITEM #3 – 10 REQUESTS FOR THE DIVISION OF POLICE

ADJOURN MEETING

(09/21/02; 09/28/02)

**LEGAL NOTICE  
FLEET MANAGEMENT DIVISION  
BID FOR SALE OF: MISCELLANEOUS EQUIPMENT**

In accordance with the Columbus City Code Section 326.26, sealed bids for the Sale of Miscellaneous Equipment will be received by the Purchasing Office at 50 West Gay Street, First Floor, Columbus, OH 43215, until SEPTEMBER 25, 2002 AT 11:00 A.M. Local Time and at that time will publicly be opened and read. Bids received after the time for opening of bids will be returned to the bidder unopened. The City will not be responsible for late mail or other means of delivery.

Envelopes must be plainly marked: FLEET MANAGEMENT DIVISION BID FOR SALE OF: Miscellaneous Equipment

PROPOSAL NUMBER: \_\_2853 CRD\_\_ in accordance with the specifications on file in the Purchasing Office

For information regarding the bidding process, please contact Charlotte Derifield at the Purchasing Office at (614)-645-1492. For information regarding the specifications, please contact the Fleet Management Division, (614)-645-8281.

(09/07/02; 09/14/02; 09/21/02)

**MEETING NOTICE BOARD OF WELLFIELD PROTECTION APPEALS**

There will be a meeting of the Board of Wellfield Protection Appeals on Wednesday, September 25, 2002 at 1:30p.m.- The meeting location will be the Parsons Avenue Water Plant, 5600 Parsons Avenue, in the 1<sup>st</sup> floor conference room. Inquires regarding directions to this location may be made between the hours of 7:30a.m. – 3:00p.m., Monday through Friday, by calling 645-3227.

(09/14/02; 09/21/02)

**MEETING NOTICE BREWERY DISTRICT COMMISSION**

The regular meeting of the Brewery District Commission will be held on Thursday, October 3, 2002, at 6:15 p.m. in the Community Training Center, 109 N. Front Street, ground floor. Copies of the agenda may be obtained by calling 645-7964. A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Neighborhood Services Division is made aware of the need and given a reasonable notice of at least forty-eight (48) hours prior to the scheduled meeting time. To schedule an interpreter, please call 645-7964 or TDD 645-6407.

(09/21/02; 09/28/02)

**MEETING NOTICE GERMAN VILLAGE COMMISSION**

The regular meeting of the German Village Commission will be held on Tuesday, October 1, 2002, at 4:00 p.m. in the German Village Meeting Haus, 588 S. Third Street. Copies of the agenda may be obtained by calling 645-7964. A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Neighborhood Services Division is made aware of the need and given a reasonable notice of at least forty-eight (48) hours prior to the scheduled meeting time. To schedule an interpreter, please call 645-7964 or TDD 645-6407.

(09/21/02; 09/28/02)

**APPEALS AGENDA  
BOARD OF ZONING ADJUSTMENT  
CITY OF COLUMBUS  
SEPTEMBER 24, 2002**

The Columbus Board of Zoning Adjustment will hold a public hearing on the following applications on **TUESDAY, SEPTEMBER 24, 2002 at 6:00 P.M.** in the First Floor Hearing Room of the Building Services Division Offices, 757 Carolyn Avenue.

The Board of Zoning Adjustment hears requests for Special Permits, Appeals and Variances to the requirements of the Columbus Zoning Code, Title 33, of the Columbus City Codes. The Board does not hear applications to amend the Official Zoning Map. Specific case information may be obtained by contacting the Building and Development Services Section, 757 Carolyn Avenue, 645-7314.

**SPECIAL NOTE TO THE APPLICANT:** It is important that you or your representative be present at the public hearing. It is the rule of the Board to dismiss an application when a representative is not present.

**SIGN LANGUAGE INTERPRETER:** An interpreter to "Sign" this meeting will be made available for anyone with a need for this service, provided the Building Services Division is made aware of this need and given a reasonable notice of at least four (4) hours prior to the scheduled meeting time. To schedule an interpreter, please contact the City of Columbus, Human Resources Department at 645-6373 or TDD 645-3293.

**THE FOLLOWING CASES WILL BE HEARD BEGINNING AT 6:00 P.M.:**

01. 02312-00005  
1101 NORTH 4<sup>TH</sup> STREET  
Italian Village  
To Appeal Zoning Code Violation Order No. 01470-03464 issued on 4/9/2002  
1. Appeal of March 20, 2002 Determination of Chief Zoning Official, Beth Clark  
**Code Enforcement Officer:** Beth Clark  
**Code Enforcement Officer Phone:** 645-6096  
**Appellant:** David M. Betz, AICP, 174 East 4<sup>th</sup> Avenue, Columbus, Ohio 43201  
**Owner:** Scott G. & Carol J. Guiler, 355 Cherokee Drive, Canal Winchester, Ohio 43110  
**Attorney/Agent:** Eric Rotondo, 1276 Neil Avenue, Columbus, Ohio 43201

**AGENDA  
BOARD OF ZONING ADJUSTMENT  
CITY OF COLUMBUS, OHIO  
SEPTEMBER 24, 2002**

The Columbus Board of Zoning Adjustment will hold a public hearing on the following applications on **TUESDAY, SEPTEMBER 24, 2002 at 6:00 P.M.** in the First Floor Hearing Room of the Building Services Division, 757 Carolyn Avenue.

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**THE FOLLOWING CASES WILL BE HEARD BEGINNING AT 6:00 P.M.:**

**PRELIMINARY MATTER:  
RECONSIDERATION REQUEST:**

02. ODS No.: 02310-00033  
Location: 4567 NORTH GATE (43054), located at the northwest corner of North Gate and Chiswick Court.

**Area Comm./Civic:** Northland Community Council  
**Existing Zoning:** PUD-4, Planned Unit Development District  
**Request:** Variance(s) to Section(s):  
 1. 3345.17, Private garages  
 To increase the height of a detached private garage from 15 feet to 37 feet.  
 2. 3345.17, Private garages  
 To increase the lot area devoted to a private garage from 1,689 square feet to 1,966 square feet.  
 3. 3345.17, Private garages  
 To increase the number of parking spaces provided in garages from 2 to 5.  
 4. 3345.17, Private garages  
 To allow habitable space in a detached garage.  
**Proposal:** To construct a 1,120 square foot combination detached two-car garage with a workshop and half-bath, in addition to an existing 846 square foot, three-car detached garage.  
**Applicant(s):** Tuckerman Development  
 64 E. Broad St.  
 Columbus, OH 43215  
**Property Owner(s):** Gerald A. & Judy A. Lacko  
 4567 North Gate  
 New Albany, OH 43054

**NEW CASES:**

- 03. ODS No.: 02310-00049**  
**Location:** **1151-1161 BETHEL ROAD (43220)**, located on the south side of Bethel Rd., approximately 550 feet west of Kenny Rd.  
**Area Comm./Civic:** Northwest Civic Association  
**Existing Zoning:** L-C-2, Limited-Commercial District  
**Request:** Variance(s) to Section(s):  
 1. 3342.18, Parking setback line.  
 To reduce the required setback for 23 parking spaces from 25 feet to 10 feet.  
**Proposal:** To allow 23 existing parking spaces created in 1991 to remain in place and receive zoning clearance.  
**Applicant(s):** Patrick W. Manley, c/o Manley and Harper, Inc.  
 3820 N. High St.  
 Columbus, Ohio 43214  
**Property Owner(s):** Bethel Grove Office Condominium Association  
 1161 Bethel Rd., Suite 101  
 Columbus, Ohio 43220
- 04. ODS No.: 02310-00050**  
**Location:** **2491 MEADOW GLADE DRIVE (43228)**, located at the northwest terminus of Meadow Glade Drive (a private street).  
**Area Comm./Civic:** None  
**Existing Zoning:** L-AR-12, Limited-Apartment Residential District  
**Request:** Variance(s) to Section(s):  
 1. 3333.255, Perimeter yard required  
 To reduce the perimeter yard, established by variance 00310-00061 approved by the Board of Zoning Adjustment on November 28, 2000, from 15 feet to 13.62 feet.  
**Proposal:** To permit a sunroom to extend 1.38 feet into the 15-foot perimeter yard.  
**Applicant(s):** Robert Wynd M-E Companies  
 635 Brooksedge Bl.  
 Westerville, OH 43081  
**Property Owner(s):** M. H. Murphy Development Company  
 4393 Arbor Lake Dr.  
 Groveport, OH 43125
- 05. ODS No.: 02310-00052**  
**Location:** **1346 SOUTH HIGH STREET (43207)**, located at the southeast corner of Moler & High Sts.  
**Area Comm./Civic:** Council of South Side Organizations  
**Existing Zoning:** C-4, Commercial District  
**Request:** Special Permit & Variances(s) to Section(s):  
 1. 3389.04, Crematory.  
 To establish a crematory in association with an existing funeral home.  
 2. 3342.28, Minimum number of parking spaces required.  
 To reduce the required number of parking spaces from 52 to 8 (44-spaces).  
**Proposal:** To establish a crematorium and re-configured parking at an existing funeral home.  
**Applicant(s):** Marcia Shanefelt, c/o Maverick Builders  
 1667 Gateway Circle  
 Grove City, Ohio 43123  
**Property Owner(s):** O.R. Woodyard Co.  
 255 E. State Street  
 Columbus, Ohio 43215
- 06. ODS No.: 02310-00053**  
**Location:** **1201 BELLFLOWER AVENUE (43204)**, located at the southwest corner of Bellflower Avenue and Briggs Road.  
**Area Comm./Civic:** Greater Hilltop Area Commission

- Existing Zoning:** SR, Suburban Residential District  
**Request:** Variance(s) to Section(s):  
 1. 3332.27, Rear yard  
 To reduce the rear yard from 25% of the total lot area to 6%.
- Proposal:** To construct a 614± square foot room addition.  
**Applicant(s):** James A. & Sharon S. Henry  
 1201 Bellflower Av.  
 Columbus, OH 43204
- Property Owner(s):** Applicants
07. **ODS No.:** 02310-00054A  
**Location:** 8141 WYNCREST DRIVE (Waggoner Park Condominiums – Phase Three) (43068), located on the north side of East Broad Street, 2,600± feet east of Waggoner Road.
- Area Comm./Civic:** None  
**Existing Zoning:** L-AR-12, Limited-Apartment Residential District  
**Request:** Variance(s) to Section(s):  
 1. 3333.255, Perimeter yard required  
 To reduce the perimeter yard from 25 feet to not less than 10 feet for decks for Buildings 50, 55, 62, 63, 71 and 77 along Overmont (a private street) and Buildings 72, 73 and 76 located along the west side property line (fronting Hemlock Ravine Drive).  
 2. 3333.255, Perimeter yard required  
 To reduce the perimeter yard from 25 feet to not less than 10 feet for the location of a dumpster just east of Building 50 along Overmont.  
 3. 3333.255, Perimeter yard required  
 To reduce the perimeter yard from 25 feet to zero along the east side property line for three (3) garages that straddle the property line between this phase and Phase Two.  
 4. 3333.30, Private access and parking requirements  
 To not provide for private access on-site for the 3 garages that straddle the east property line to allow access to occur from the abutting property to the east.  
 5. 3342.15, Maneuvering  
 To allow parking spaces inside the 3 garages that straddle the east property line not to have sufficient access and maneuvering area on site, to allow access and maneuvering to occur on the abutting property to the east.  
 6. 3342.19, Parking space  
 To reduce the length of parking spaces located inside the 3 garages that straddle the east property line from 18 feet to approximately 10 feet only because they are bisected by the property line.  
 7. 3333.255, Perimeter yard required  
 To reduce the perimeter yard from 25 feet to 3 feet for a portion of Building 39 located at the northeast corner of the site.  
 8. 3333.255, Perimeter yard required  
 To reduce the perimeter yard from 25 feet to zero for parking spaces located in front of the easternmost portion of Building 39.  
 9. 3342.19, Parking space  
 To reduce the width of one parking space located in front of the easternmost portion of Building 39 from 9 feet to approximately 5 feet only because it is bisected by a property line.
- Proposal:** To construct a 362-unit condominium complex.  
**Applicant(s):** Waggoner Park Ltd. C/o Michael T. Shannon, Esq & John P. Kennedy, Esq.; Crabbe Brown & James LLP  
 500 S. Front St. 12<sup>th</sup> Fl.  
 Columbus, OH 43215
- Property Owner(s):** Applicants
08. **ODS No.:** 02310-00054B  
**Location:** 8400 OVERMONT (Waggoner Park Condominiums – Phase Two) (43068), located on the north side of East Broad Street, 2,600± feet east of Waggoner Road.
- Area Comm./Civic:** None  
**Existing Zoning:** L-AR-12, Limited-Apartment Residential District  
**Request:** Variance(s) to Section(s):  
 1. 3333.255, Perimeter yard required  
 To reduce the perimeter yard from 25 feet to zero along the west side property line for three (3) garages that straddle the property line between this phase and Phase Three to the west.  
 2. 3333.255, Perimeter yard required  
 To reduce the perimeter yard from 25 feet to zero for a parking space located at the northwest corner of the site that straddles the property line between this phase and Phase Three to the west.
- Proposal:** To construct three garages and one surface parking space that straddle the west property line and are for the sole use of the abutting Waggoner Park Phase Three.
- Applicant(s):** Waggoner Park Ltd. C/o Michael T. Shannon, Esq & John P. Kennedy, Esq.; Crabbe Brown & James LLP  
 500 S. Front St. 12<sup>th</sup> Fl.  
 Columbus, OH 43215
- Property Owner(s):** Applicants
09. **ODS No.:** 02310-00054C  
**Location:** 262 PINEY CREEK DRIVE (Ravines at Waggoner Park Condominiums – Phase Two) (43068), located on the north side of East Broad Street, 2,600± feet east of Waggoner Road.
- Area Comm./Civic:** None  
**Existing Zoning:** L-AR-12, Limited-Apartment Residential District  
**Request:** Variance(s) to Section(s):

1. 3333.255, Perimeter yard required  
To reduce the perimeter yard from 25 feet to not less than 10 feet for decks for Building 16 located at the southwest corner of Overmont and Overmont Ridge Road.  
**Proposal:** To construct a 155-unit condominium complex.  
**Applicant(s):** Ravines at Waggoner Park, Ltd. C/o Michael T. Shannon, Esq. & John P. Kennedy, Esq.; Crabbe Brown & James LLP  
500 S. Front St. 12<sup>th</sup> Fl.  
Columbus, OH 43215  
**Property Owner(s):** Applicants
10. **ODS No.:** 02310-00055  
**Location:** 7095 E. BROAD STREET (43004), located at the southeast corner of Reynoldsburg-New Albany Rd. and E. Broad St.  
**Area Comm./Civic:** None  
**Existing Zoning:** CPD, Commercial Planned Development District  
**Request:** Variance(s) to Section(s):  
1. 3342.15, Maneuvering.  
To allow maneuvering to parking spaces within 10 feet of the right-of-way.  
2. 3342.18, Parking setback line.  
To reduce the required parking setback from 10 ft. to 0 ft.  
**Proposal:** To construct a mixed-use greenhouse & retail strip mall.  
**Applicant(s):** Lenhart-Frauenberg Partnership, LLP, c/o Crabbe Brown & James LLP, George R. McCue & Laura MacGregor  
Comek  
500 S. Front St., 12<sup>th</sup> Floor  
Columbus, OH 43215  
**Property Owner(s):** Applicant
11. **ODS No.:** 02310-00056  
**Location:** 3599 CHILLER LANE (43219), located on the south side of Chiller Ln., approximately 200 ft. east of Sunbury Rd.  
**Area Comm./Civic:** Northeast Area Commission  
**Existing Zoning:** L-M, Limited-Manufacturing District  
**Request:** Variance(s) to Section(s):  
1. 3342.28, Minimum number of parking spaces required.  
To reduce the required number of parking spaces from 29 to 11 (18 spaces).  
**Proposal:** To construct a 21,600 sq. ft. indoor soccer field addition to an existing 51,000 sq. ft. soccer facility.  
**Applicant(s):** EJMR Construction Ltd., c/o Donald T. Plank, Esq.  
Shuler Plank & Brahm, 145 East Rich Street  
Columbus, OH 43215  
**Property Owner(s):** Applicant

**THE FOLLOWING CASES WILL NOT BE HEARD BEFORE 7:00 P.M.:**

12. **ODS No.:** 02310-00058  
**Location:** 3395 INDIANOLA AVENUE (43214), located at the northwest corner of Oakland Park & Indianola Aves.  
**Area Comm./Civic:** Clintonville Area Commission  
**Existing Zoning:** C-4, Commercial District  
**Request:** Variance(s) to Section(s):  
1. 3372.609, Setback requirements.  
1) To increase the maximum required building setback from 10 ft. to 40 ft.; 2) to permit a parking lot in front of the building; and 3) to permit parking and vehicular circulation between a building and the public right-of-way.  
2. 3372.611, Design standards.  
1) To permit a building frontage that faces a public street not to be required to include vertical piers or other vertical visual elements to break the plane of the building frontage; 2) to permit less than 60% of the building frontage to be of clear, untinted widow glass; and 3) to not screen roof-mounted mechanical equipment from public view.  
3. 3362.615, Parking and circulation.  
To permit parking, stacking and circulation aisles between a public right-of-way and a building.  
**Proposal:** To construct a building addition onto an existing auto repair shop.  
**Applicant(s):** Guochun Lin  
8669 Oakcreek Drive  
Lewis Center, OH 43035  
**Property Owner(s):** TongDa Auto Service  
3395 Indianola Avenue  
Columbus, OH 43214
13. **ODS No.:** 02310-00059A  
**Location:** 1615 NORTH STAR AVENUE (LOT 1) (43212), located on the west side of North Star Avenue between West 5<sup>th</sup> and King Avenues.  
**Area Comm./Civic:** None  
**Existing Zoning:** R-4, Residential District  
**Request:** Variance(s) to Section(s):  
1. 3332.05, Area District lot width requirements

2. To reduce the width of a lot from 50 feet to 45 feet.  
3332.15, R-4 Area District requirements  
To reduce the lot area from 7,500 square feet to 6,750 square feet.
3. 3332.18, Basis of computing area  
To allow more than three times the lot width to be counted toward area for density purposes.
4. 3342.19, Parking space  
To reduce the width of a parking space from 9 feet to 7 feet only because it straddles a property line.
5. 3342.28, Minimum number of parking spaces required  
To reduce the number of off-street parking spaces required from 6 to 5.
- Proposal:** To reconfigure three existing parcels to create two new parcels, each to be developed with a two-story three-unit dwelling with surface parking spaces.
- Applicant(s):** Michael Myers  
PO Box 12571  
Columbus, OH 43212
- Property Owner(s):** Barrett R. & Suzanne M. Wear  
2098 Guilford Rd.  
Columbus, OH 43221
14. **ODS No.:** 02310-00059B  
**Location:** 1615 NORTH STAR AVENUE (LOT 2) (43212), located on the west side of North Star Avenue between West 5<sup>th</sup> and King Avenues.  
**Area Comm./Civic:** None  
**Existing Zoning:** R-4, Residential District  
**Request:** Variance(s) to Section(s):  
1. 3332.05, Area District lot width requirements  
To reduce the width of a lot from 50 feet to 45 feet.  
2. 3332.15, R-4 Area District requirements  
To reduce the lot area from 7,500 square feet to 7,455 square feet.  
3. 3332.18, Basis of computing area  
To allow more than three times the lot width to be counted toward area for density purposes.  
4. 3342.06, Aisle  
To reduce the width of an aisle serving adjacent parking spaces located along the north alley from 20 feet to 19 feet.  
**Proposal:** To reconfigure three existing parcels to create two new parcels, each to be developed with a two-story three-unit dwelling with surface parking spaces.  
**Applicant(s):** Michael Myers  
PO Box 12571  
Columbus, OH 43212  
**Property Owner(s):** Barrett R. & Suzanne M. Wear  
2098 Guilford Rd.  
Columbus, OH 43221
15. **ODS No.:** 02311-00005  
**Location:** 568 NORTH WILSON ROAD (43204), located on the east side of Wilson Rd., 433 ft. north of Valleyview Dr.  
**Area Comm./Civic:** Greater Hilltop Area Commission  
**Existing Zoning:** M, Manufacturing District  
**Request:** Special Permit & Variance(s) to Section(s):  
1. 3389.07, Junk or Salvage.  
To permit the establishment of an auto salvage business.  
2. 3363.19, Location requirements.  
To permit the establishment of a more objectionable use within 600 ft. of a residential zoning district or use.  
**Proposal:** To create an auto salvage yard and facility.  
**Applicant(s):** All Foreign Used Auto Parts, c/o Crabbe, Brown & James, LLP, Michael T. Shannon, Esq. And John P. Kennedy, Esq.  
500 S. Front Street, Suite 1200  
Columbus, OH 43215  
**Property Owner(s):** Cyrus W. Young Trust, c/o Shirlee J. Hara, Trustee, c/o Crabbe, Brown & James LLP  
500 S. Front Street, Suite 1200  
Columbus, OH 43215

**HOLDOVER CASE:**

16. **ODS No.:** 02310-00023  
**Location:** 481 EAST SYCAMORE STREET (43206), located on the south side of East Sycamore Street, 160± feet west of Washington Avenue.  
**Area Comm./Civic:** Council of Southside Organizations and Schumacher Place Civic Association  
**Existing Zoning:** R-2F, Residential District  
**Request:** Variance(s) to Section(s):  
1. 3332.25, Maximum side yards required  
To reduce the sum of the widths of each side yard from 20% (8 feet) of the width of the lot to not less than 5%, or 2 feet.  
2. 3332.26, Minimum side yard permitted  
To reduce the minimum side yard from 3 feet to 2 feet along the east side of the dwelling for the deck only.

**Proposal:** To construct a foyer entrance and family room addition to the east side of the dwelling and allow an existing deck that was built without a permit.  
**Applicant(s):** Julie Van De Mark  
 481 E. Sycamore St.  
 Columbus, OH 43206  
**Property Owner(s):** Applicant

**RECONSIDERATION ITEMS:**

17. **ODS No.:** 02310-00028  
**Location:** 518 EAST BECK STREET (43206), located on the north side of East Beck Street, 420± feet west of Parsons Avenue.  
**Area Comm./Civic:** Council of Southside Organizations and Schumacher Place Civic Association  
**Existing Zoning:** R-2F, Residential District  
**Request:** Variance(s) to Section(s):  
 1. 3332.05, Area District lot width requirements  
 To reduce the width of each of two proposed lots from 50 feet to not less than 39 feet.  
 2. 3332.14, R-2F Area District requirements  
 To reduce the lot area of each of two proposed lots from 6,000 square feet to not less than 5,976 square feet.  
 3. 3332.18, Basis of computing area  
 To allow more than three times the lot width to be counted toward area for density purposes.  
**Proposal:** To reconfigure three parcels and a vacated alley to create two new parcels, each to be developed with a two-family dwelling and four-car detached garage.  
**Applicant(s):** Gary D. and Cecelia F. Phillips c/o Donald T. Plank  
 Shuler, Plank & Brahm, 145 E. Rich St.  
 Columbus, OH 43215  
**Property Owner(s):** Applicants
18. **ODS No.:** 02310-00031  
**Location:** 1689 WEST WIND LANE (43223), located on the west side of West Wind Lane, 100± feet south of Ripplebrook Road.  
**Area Comm./Civic:** Greater Hilltop Area Commission  
**Existing Zoning:** R-2, Residential District  
**Request:** Variance(s) to Section(s):  
 1. 3332.21, Building lines  
 To reduce the platted building line from 25 feet to zero along West Wind Lane.  
 2. 3332.30, Vision clearance  
 To reduce clear vision at an abutting vehicular access point.  
 3. 3393.06, Location  
 To allow a swimming pool to be located between the street and the required building line.  
**Proposal:** To allow an existing above-ground swimming pool that was installed without zoning clearance or a building permit to remain in the required front yard.  
**Applicant(s):** Glenn & Priscilla Curnutte  
 1689 West Wind Ln.  
 Columbus, OH 43223  
**Property Owner(s):** Applicants
19. **ODS No.:** 02310-00037A  
**Location:** 48 EAST RUSSELL STREET (LOT 1) (43215), located on the north side of East Russell Street, 100± feet west of Kerr Street.  
**Area Comm./Civic:** Italian Village Commission  
**Existing Zoning:** R-4, Residential District  
**Request:** Variance(s) to Section(s):  
 1. 3332.21, Building lines  
 To reduce the building line from 10 feet to 5 feet along East Russell Street.  
 2. 3332.25, Maximum side yards required  
 To reduce the sum of the widths of each side yard from 20% of the width of the lot (10.15 feet) to not less than 11%, or 6 feet.  
 3. 3332.26, Minimum side yard permitted  
 To reduce the minimum side yard from 5 feet to 3 feet along both sides of the dwelling.  
**Proposal:** To construct a two-story three-family dwelling.  
**Applicant(s):** Richard J. Bruggeman c/o Donald T. Plank, Esq.  
 Shuler, Plank & Brahm, 145 E. Rich St.  
 Columbus, OH 43215  
**Property Owner(s):** Applicant
20. **ODS No.:** 02310-00037B  
**Location:** 48 EAST RUSSELL STREET (LOT 2) (43215), located on the north side of East Russell Street, 100± feet west of Kerr Street.  
**Area Comm./Civic:** Italian Village Commission  
**Existing Zoning:** R-4, Residential District  
**Request:** Variance(s) to Section(s):

1. 3332.15, R-4 Area District requirements  
To reduce the lot area from 7,500 square feet to 6,496 square feet.
  2. 3332.21, Building lines  
To reduce the building line from 10 feet to 5 feet along East Russell Street.
  3. 3332.25, Maximum side yards required  
To reduce the sum of the widths of each side yard from 20% of the width of the lot (10.15 feet) to not less than 11%, or 6 feet.
  4. 3332.26, Minimum side yard permitted  
To reduce the minimum side yard from 5 feet to 3 feet along both sides of the dwelling.
  5. 3332.33, Private access and parking requirements  
To not provide for private access to on-site parking facilities.
- Proposal:** To construct a two-story three-family dwelling.  
**Applicant(s):** Richard J. Bruggeman c/o Donald T. Plank, Esq.  
 Shuler, Plank & Brahm, 145 E. Rich St.  
 Columbus, OH 43215
- Property Owner(s):** Applicant
21. **ODS No.:** 02310-00037C  
**Location:** 48 EAST RUSSELL STREET (LOT 3) (43215), located on the north side of East Russell Street, 100± feet west of Kerr Street.  
**Area Comm./Civic:** Italian Village Commission  
**Existing Zoning:** R-4, Residential District  
**Request:** Variance(s) to Section(s):
1. 3332.15, R-4 Area District requirements  
To reduce the lot area from 7,500 square feet to 5,868 square feet.
  2. 3332.19, Fronting  
To allow a dwelling to not front upon a public street (Brickel Street is an alley).
  3. 3332.25, Maximum side yards required  
To reduce the sum of the widths of each side yard from 16 feet to 3 feet.
  4. 3332.26, Minimum side yard permitted  
To reduce the minimum side yard from 5 feet to 3 feet along the west side of the dwelling and to zero along the east side of the dwelling.
  5. 3332.27, Rear yard  
To reduce the rear yard from 25% of the total lot area to not less than 21%.
- Proposal:** To construct a two-story three-family dwelling.  
**Applicant(s):** Richard J. Bruggeman c/o Donald T. Plank, Esq.  
 Shuler, Plank & Brahm, 145 E. Rich St.  
 Columbus, OH 43215
- Property Owner(s):** Applicant  
 (09/14/02; 09/21/02)

**PUBLIC HEARING  
BY COLUMBUS CITY COUNCIL**

The following Rezoning/Variance Ordinances will be heard by City Council on Monday, September 23, 2002 at approximately 6:30 p.m. in Council Chambers, Second Floor, City Hall, 90 West Broad Street, Columbus, Ohio 43215.

**1449-02** To rezone **4965 GENDER ROAD (43110)**, being 7.46± acres located on the west side of Gender  
**Z01-080** Road, 1700± feet south of Wright Road, From: R, Rural District, To: L-M, Limited

(09/14/02; 09/21/02)

**PUBLIC HEARING  
BY COLUMBUS CITY COUNCIL**

The following Rezoning/Variance Ordinances will be heard by City Council on Monday, September 30, 2002 at approximately 6:30 p.m. in Council Chambers, Second Floor, City Hall, 90 West Broad Street, Columbus, Ohio 43215.

**1452-02** To rezone **3242 HAYDEN ROAD (43235)**, being 1.71± acres located at the northeast corner of  
**Z02-040** Hayden Road and Riverside Drive, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District.

**1453-02** To grant a Variance from the provisions of Section 3355.02, Permitted Uses in a CPD,  
**CV02-03** Commercial Planned Development District, of Columbus City Code for the property located at **3242 HAYDEN ROAD (43235)**, to permit wholesaling of products sold by a mulch business.

(09/21/02; 09/28/02)

**RESULTS**

The Development Commission of the City of Columbus held a public hearing on the following applications on THURSDAY September 12, 2002, beginning at 6:00 P.M. at the CITY OF COLUMBUS, 1-71 NORTH COMPLEX at 757 Carolyn Avenue, Columbus, OH 43224 in the lower level HEARING ROOM.



Further information may be obtained by calling the Building Services Section Zoning Information at 645-7314

**THE FOLLOWING CASES WILL BE HEARD ON THE 6:00 P.M. AGENDA:**

1.     **APPLICATION:**     ZOO-084  
       **Location:**       1500 NORTH CASSADY AVENUE (43219), being 35.69± acres located on the northeast corner of Cassady Avenue and Airport Drive (Northeast Area Commission).  
       **Existing Zoning:**   R-Rural.  
       **Request:**         L-C-4, Limited Commercial District  
       **Proposed Use:**     Commercial retail and office development.  
       **Applicant(s):**     Cassady Retail Ventures, Ltd.; c/o Jeffrey L. Brown, Atty.; 37 West Broad Street Columbus, Ohio 43215.  
       **Property Owner(s):** The Applicant  
       **Case Planner:**    Don Bier, 645-0712; [drbier@cmhmetro.net](mailto:drbier@cmhmetro.net)  
       Development Commission recommended to Table
  
2.     **APPLICATION:**     Z02-051  
       **Location:**       6128 RIVERSIDE DRIVE (43017), being 6.0± acres located on the east side of Riverside Drive, 1500± feet north of Riverside Green Drive.  
       **Existing Zoning:**   PUD-8, Planned Unit Development and R, Rural Districts.  
       **Request:**         CPD, Commercial Planned Development District.  
       **Proposed Use:**     Senior housing.  
       **Applicant(s):**     Friendship Village of Dublin, Ohio, Inc.; c/o Kenneth A. Golonka, Jr., Atty.; 52 East Gay Street; Columbus, Ohio 43215.  
       **Property Owner(s):** The Applicant.  
       **Case Planner:**    Dana Hitt, AICP, 645-2395; [dahitt@cmhmetro.net](mailto:dahitt@cmhmetro.net)  
       Development Commission recommended Approval (6-0).
  
3.     **TABLED**  
       **APPLICATION:**     Z02-038  
       **Location:**       2645 BETHEL ROAD (43220), being 1.2± acres located on the south side of Bethel Road, 150± feet east of Greystone Drive.  
       **Existing Zoning:**   R, Rural District.  
       **Request:**         CPD, Commercial Planned Development District.  
       **Proposed Use:**     Car wash, retail and drive-thru development.  
       **Applicant(s):**     Anchor Auto Care Center; c/o William A. Goldman, Atty.; 454 East Main Street, Suite 227; Columbus, Ohio 43215.  
       **Property Owner(s):** Dorothy L. Powell; c/o The applicant.  
       **Case Planner:**    Dana Hitt, AICP, 645-2395; [dahitt@cmhmetro.net](mailto:dahitt@cmhmetro.net)
  
4.     **TABLED**  
       **APPLICATION:**     Z02-047  
       **Location:**       5697 WEST BROAD STREET (43228), being 3.97± acres located at the southeast corner of West Broad Street and Galloway Road. (Westland Area Commission).  
       **Existing Zoning:**   R, Rural District.  
       **Request:**         CPD, Commercial Planned Development District.  
       **Proposed Use:**     Convenience store with gasoline sales.  
       **Applicant(s):**     Bear Creek Capital, LLC; c/o William A. Goldman, Atty.; 454 East Main Street, Suite 227; Columbus, Ohio 43215.  
       **Property Owner(s):** Alexander A. Galenes and Val & Jennie Boehm; c/o The Applicant.  
       **Case Planner:**    Dana Hitt, AICP, 645-2395; [dahitt@cmhmetro.net](mailto:dahitt@cmhmetro.net)
  
5.     **TABLED**  
       **APPLICATION:**     Z01-096  
       **Location:**       669 SOUTH GALLOWAY ROAD (43119), being 58.6± acres located on the west side of Galloway Road, 675± feet south of Sullivant Avenue. (Westland Area Commission)  
       **Existing Zoning:**   R, Rural District.  
       **Request:**         PUD-8, Planned Unit Development District.  
       **Proposed Use:**     Single-family residential development.  
       **Applicant(s):**     Dominion Homes, Inc. ; c/o Donald T. Plank, Esq.; 145 East Rich Street, Columbus, Ohio 43215.  
       **Property Owner(s):** Larry L. Worthington, John T. Worthington, Margaret Worthington & Elizabeth Wirth; c/o The applicant.  
       **Case Planner:**    Don Bier, 645-0712; [drbier@cmhmetro.net](mailto:drbier@cmhmetro.net)
  
6.     **TABLED**  
       **APPLICATION:**     Z02-048  
       **Location:**       3703 ALKIRE ROAD (43123), being 1.69± acres located on the south side of Alkire Road, 450± feet west of Winding Hollow Drive. (Greater Hilltop Area Commission).  
       **Existing Zoning:**   R, Rural District.  
       **Request:**         C-4, Commercial District.  
       **Proposed Use:**     Commercial development.  
       **Applicant(s):**     F & G Property Development, Inc.; c/o William A. Goldman, Atty.; 454 East Main Street, Suite 227; Columbus, Ohio 43215.  
       **Property Owner(s):** Dean A. Capuana; 3711 Alkire Road; Grove City, Ohio 43123.  
       **Case Planner:**    Dana Hitt, AICP, 645-2395; [dahitt@cmhmetro.net](mailto:dahitt@cmhmetro.net)

**THE FOLLOWING CASES WILL BE HEARD ON THE 7:00 P.M. AGENDA:**

7. APPLICATION: Z02-055:  
 Location: 359 OBETZ ROAD (43207), being 2.11± acres located on the south side of Obetz Road, 350± feet the west of Parsons Avenue.  
 Existing Zoning: R, Rural District.  
 Request: CPD, Commercial Planned Development District.  
 Proposed Use: Senior housing.  
 Applicant(s): Robert L. Huff; c/o Charles E. Kunkle; 1665 West Main Street; Wilmington, Ohio, 45177.  
 Property Owner(s): The Applicant.  
 Case Planner: Dana Hitt, AICP, 645-2395; [dahitt@cmhmetro.net](mailto:dahitt@cmhmetro.net)  
 Development Commission recommended Approval (6-0).
8. APPLICATION: Z02-045  
 Location: 421 RATHMELL ROAD (43207), being 28.91 ± acres located on the south side Rathmell Road, 950± feet west of Parsons Avenue.  
 Existing Zoning: R, Rural District.  
 Request: PUD-6, Planned Unit Development District.  
 Proposed Use: Single-family residential development.  
 Applicants: Deltar, Inc.; c/o Donald T. Plank, Atty.; 145 East Rich Street; Columbus, Ohio 43215.  
 Property Owner(s): Barbara J. Barth and David M. Clabaugh; c/o Donald T. Plank, Atty.; 145 East Rich Street; Columbus, Ohio 43215.  
 Case Planner: Don Bier, 645-0712; [drbier@cmhmetro.net](mailto:drbier@cmhmetro.net)  
 Development Commission recommended Disapproval (1-5)
9. APPLICATION: Z02-050  
 Location: 1818 HILLIARD-ROME ROAD (43206), being 30.62± acres located on the east side of Hilliard-Rome Road, 675± feet north of Preferred Place.  
 Existing Zoning: L-C-4, Limited Commercial District.  
 Request: L-C-4, Limited Commercial District.  
 Proposed Use: Commercial development.  
 Applicants: Continental Real Estate; c/o Jackson B. Reynolds, III, Atty.; 37 West Broad St Columbus, Ohio 43215.  
 Property Owner(s): Duff Warehouses, Inc.; 956 South Broadway Street; Lima, Ohio 45802.  
 Case Planner: Don Bier, 645-0712; [drbier@cmhmetro.net](mailto:drbier@cmhmetro.net)  
 Development Commission recommended Approval (5-1-0).
10. APPLICATION: Z02-053  
 Location: 4186 STELZER ROAD (43219), being 0.88± acres located on the east side of Stelzer Road, 475± feet the north of Morse Road.  
 Existing Zoning: L-C-4, Limited Commercial District.  
 Request: L-C-4, Limited Commercial District.  
 Proposed Use: Commercial development.  
 Applicant(s): Morno Holding Company; c/o Jeffrey L. Brown, Atty.; 37 West Broad Street; Columbus, Ohio 43215.  
 Property Owner(s): The Applicant.  
 Case Planner: Dana Hitt, AICP, 645-2395; [dahitt@cmhmetro.net](mailto:dahitt@cmhmetro.net)  
 Development Commission recommended Approval (6-0).
11. APPLICATION: Z02-056  
 Location: 940 EAST ELEVENTH AVENUE (43211), being 1.23± acres located at the northeast corner of Cleveland and East Eleventh Avenues. (South Linden Area Commission).  
 Existing Zoning: C-3, Commercial, AR-0, Apartment Residential/Office, and R-4, Residential Districts.  
 Request: CPD, Commercial Planned Development District.  
 Proposed Use: Retail commercial development.  
 Applicants: Bruce Harris, AIA; 2430 Stelzer Road; Columbus, Ohio 43236.  
 Property Owner(s): Greater Linden Development Corporation; c/o The Applicant.  
 Case Planner: Dana Hitt, AICP, 645-2395; [dahitt@cmhmetro.net](mailto:dahitt@cmhmetro.net)  
 Development Commission recommended Approval (5-1-0).
12. APPLICATION: Z02-046  
 Location: 3152 MCKINLEY AVENUE (43235), being 66.49± acres located on the east side of McKinley Avenue, 600± feet the south of Trabue Road.  
 Existing Zoning: L-AR-12, Limited Apartment Residential District.  
 Request: L-AR-12, Limited Apartment Residential District.  
 Proposed Use: Multi-family residential development.  
 Applicant(s): Terry O'Keefe; c/o Donald T. Plank, Atty.; 145 East Rich Street; Columbus, Ohio 43215.  
 Property Owner(s): Specialty Restaurants; c/o The Applicant.  
 Case Planner: Dana Hitt, AICP, 645-2395; [dahitt@cmhmetro.net](mailto:dahitt@cmhmetro.net)  
 Development Commission recommended Approval (7-0).
13. APPLICATION: Z02-052  
 Location: 740 LAKE SHORE DRIVE (43235), being 0.93± acres located on the east side Lake Shore Drive, 725± feet north of Fifth Avenue.  
 Existing Zoning: M, Manufacturing District.  
 Request: R-2F, Residential District  
 Proposed Use: Single-family and two-family residential development.

Applicant(s): Marble Cliff Development Co., Ltd.; c/o Donald T. Plank, Atty.; 145 East Rich Street; Columbus, Ohio 43215.  
 Property Owner(s): The Applicant.  
 Case Planner: Dana Hitt, AICP, 645-2395; [dahitt@cmhmetro.net](mailto:dahitt@cmhmetro.net)  
 Development Commission recommended Approval (7-0).  
 (09/21/02; 09/28/02)

#### PLACEMENT OF TRAFFIC CONTROL DEVICES AS RECOMMENDED BY THE TRANSPORTATION DIVISION

Whereas, an emergency exists in the usual daily operation of the Department of Public Service, Transportation Division, in that certain traffic control devices must be authorized immediately in order to preserve the public health, peace, property, and safety; now, therefore,

Under the power vested in me by Chapters 2105 and 2155 of the Traffic Code of Columbus, Ohio, I hereby determine that based on studies conducted by and recommendations made by the Transportation Division, that the following traffic regulations are necessary and I hereby authorize on the effective date of this order, or as soon thereafter as practical, the installation and/or removal of appropriate traffic control devices as follows:

#### SECTION 2105.08 STOP AND YIELD INTERSECTIONS

Stop signs shall be installed at intersections as follows:

KELLNER RD shall stop for BROAD ST  
 LAWRENCE DR shall stop for LOCKBOURNE RD

#### SECTION 2105.095 TURNS AGAINST A RED SIGNAL

Turns against a red signal shall be prohibited as follows:

LIVINGSTON AV at NOE-BIXBY RD/WOODCREST RD  
 The northbound right turn on red shall be prohibited.  
 Prohibition applies: All Times - All Days  
 The curb lane is prohibited  
 LIVINGSTON AV at NOE-BIXBY RD/WOODCREST RD  
 The eastbound right turn on red shall be prohibited.  
 Prohibition applies: 8AM - 4PM - Monday thru Friday  
 The curb lane is prohibited  
 LIVINGSTON AV at NOE-BIXBY RD/WOODCREST RD  
 The westbound right turn on red shall be prohibited.  
 Prohibition applies: 8AM - 4PM - Monday thru Friday  
 The curb lane is prohibited  
 LIVINGSTON AV at NOE-BIXBY RD/WOODCREST RD  
 The southbound right turn on red shall be prohibited.  
 Prohibition applies: 8AM - 4PM - Monday thru Friday  
 The curb lane is prohibited

#### SECTION 2105.095 TURNS AGAINST A RED SIGNAL

Turns against a red signal shall be prohibited as follows:

LIVINGSTON AV at LONSDALE RD  
 The westbound right turn on red shall be prohibited.  
 Prohibition applies: 8AM - 4PM - Monday thru Friday  
 The curb lane is prohibited  
 LIVINGSTON AV at LONSDALE RD  
 The eastbound right turn on red shall be prohibited.  
 Prohibition applies: 8AM - 4PM - Monday thru Friday  
 The curb lane is prohibited  
 LIVINGSTON AV at LONSDALE RD  
 The southbound right turn on red shall be prohibited.  
 Prohibition applies: 8AM - 4PM - Monday thru Friday  
 The curb lane is prohibited  
 LIVINGSTON AV at LONSDALE RD  
 The northbound right turn on red shall be prohibited.  
 Prohibition applies: 8AM - 4PM - Monday thru Friday  
 The curb lane is prohibited

#### SECTION 2105.18 TRAFFIC LANES - NO PASSING

Passing shall be prohibited as follows:

southboundbound on SHOOK RD from 150 feet north of SPIEGEL RD to 0 feet north of LONDON-GROVEPORT RD  
 northboundbound on SHOOK RD from 0 feet north of LONDON-GROVEPORT RD to 150 feet north of SPIEGEL DR

#### PARKING REGULATIONS

The parking regulations on the 374 foot long block face along the E side of CHAMPION AV from COLUMBUS ST extending to FOREST ST shall be

| Range in feet | Code Section | Regulation                     |
|---------------|--------------|--------------------------------|
| 0 - 272       | 2151.01      | (STATUTORY RESTRICTIONS APPLY) |
| 272 - 295     | 2105.03      | HANDICAPPED PARKING ONLY       |
| 295 - 344     | 2151.01      | (STATUTORY RESTRICTIONS APPLY) |
| 344 - 374     | 2105.17      | NO STOPPING ANYTIME            |

The parking regulations on the 265 foot long block face along the W side of EIGHTEENTH ST from SOUTHWOOD AV extending to JENKINS AV shall be

| Range in feet | Code Section | Regulation                     |
|---------------|--------------|--------------------------------|
| 0 - 129       | 2151.01      | (STATUTORY RESTRICTIONS APPLY) |
| 129 - 142     |              | (NAMELESS ALLEY)               |
| 142 - 212     | 2151.01      | (STATUTORY RESTRICTIONS APPLY) |

|           |         |                          |
|-----------|---------|--------------------------|
| 212 - 235 | 2105.03 | HANDICAPPED PARKING ONLY |
| 235 - 265 | 2105.17 | NO STOPPING ANYTIME      |

The parking regulations on the 950 foot long block face along the W side of GOVERNORS PL from BROAD ST extending to LONG ST shall be

| <u>Range in feet</u> | <u>Code Section</u> | <u>Regulation</u>              |
|----------------------|---------------------|--------------------------------|
| 0 - 190              |                     | (STATUTORY RESTRICTIONS APPLY) |
| 190 - 208            |                     | (NAMELESS ALLEY)               |
| 208 - 345            |                     | (STATUTORY RESTRICTIONS APPLY) |
| 45 - 368             | 2105.03             | HANDICAPPED PARKING ONLY       |
| 368 - 521            |                     | (STATUTORY RESTRICTIONS APPLY) |
| 521 - 544            | 2105.03             | HANDICAPPED PARKING ONLY       |
| 544 - 700            |                     | (STATUTORY RESTRICTIONS APPLY) |
| 700 - 713            |                     | (NAMELESS ALLEY)               |
| 713 - 950            |                     | (STATUTORY RESTRICTIONS APPLY) |

The parking regulations on the 645 foot long block face along the W side of HARRISON AV from THIRD AV extending to FOURTH AV shall be

| <u>Range in feet</u> | <u>Code Section</u> | <u>Regulation</u>                                  |
|----------------------|---------------------|--|
| 0 - 46               | 2105.17             | NO STOPPING ANYTIME                                |
| 46 - 96              |                     | (STATUTORY RESTRICTIONS APPLY)                     |
| 96 - 146             | 2105.17             | NO STOPPING ANYTIME                                |
| 146 - 508            | 2105.21             | NO PARKING 5PM - 5AM EVERYDAY EXCEPT CITY PERMIT C |
| 508 - 561            | 2105.17             | NO STOPPING ANYTIME                                |
| 561 - 614            | 2105.21             | NO PARKING 5PM - 5AM EVERYDAY EXCEPT CITY PERMIT C |
| 614 - 645            | 2105.17             | NO STOPPING ANYTIME                                |

The parking regulations on the 370 foot long block face along the E side of KELTON AV from KENT ST extending to MOOBERRY ST shall be

| <u>Range in feet</u> | <u>Code Section</u> | <u>Regulation</u>              |
|----------------------|---------------------|--------------------------------|
| 0 - 50               | 2151.01             | (STATUTORY RESTRICTIONS APPLY) |
| 50 - 100             | 2105.03             | HANDICAPPED PARKING ONLY       |
| 100 - 265            | 2151.01             | (STATUTORY RESTRICTIONS APPLY) |
| 265 - 370            | 2105.17             | NO STOPPING ANYTIME            |

The parking regulations on the 1784 foot long block face along the S side of LANE AV from CARMACK RD extending to KENNY RD shall be

| <u>Range in feet</u> | <u>Code Section</u> | <u>Regulation</u>   |
|----------------------|---------------------|---------------------|
| 0 - 1784             | 2105.17             | NO PARKING ANY TIME |

The parking regulations on the 1978 foot long block face along the S side of LANE AV from NORTH STAR RD extending to CARMACK RD shall be

| <u>Range in feet</u> | <u>Code Section</u> | <u>Regulation</u>   |
|----------------------|---------------------|---------------------|
| 0 - 864              |                     | (NOT IN CITY)       |
| 864 - 1978           | 2105.17             | NO PARKING ANY TIME |

The parking regulations on the 3725 foot long block face along the N side of LANE AV from NORTH STAR RD extending to KENNY RD shall be

| <u>Range in feet</u> | <u>Code Section</u> | <u>Regulation</u>   |
|----------------------|---------------------|---------------------|
| 0 - 871              |                     | (NOT IN CITY)       |
| 871 - 3725           | 2105.17             | NO PARKING ANY TIME |

The parking regulations on the 964 foot long block face along the S side of LIVINGSTON AV from WOODCREST RD extending to LONSDALE RD shall be

| <u>Range in feet</u> | <u>Code Section</u> | <u>Regulation</u>              |
|----------------------|---------------------|--------------------------------|
| 0 - 30               | 2105.17             | NO STOPPING ANYTIME            |
| 30 - 170             |                     | (STATUTORY RESTRICTIONS APPLY) |
| 170 - 235            | 2105.17             | NO STOPPING ANYTIME            |
| 235 - 305            |                     | (STATUTORY RESTRICTIONS APPLY) |
| 305 - 400            | 2105.17             | NO STOPPING ANYTIME            |
| 400 - 550            |                     | (STATUTORY RESTRICTIONS APPLY) |
| 550 - 964            | 2105.17             | NO STOPPING ANYTIME            |

The parking regulations on the 262 foot long block face along the S side of LONG ST from YOUNG ST extending to FIFTH ST shall be

| <u>Range in feet</u> | <u>Code Section</u> | <u>Regulation</u>   |
|----------------------|---------------------|---------------------|
| 0 - 21               | 2105.17             | NO STOPPING ANYTIME |

|     |   |     |         |  |
|-----|---|-----|---------|--|
| 21  | - | 43  | 2155.03 | 12 HR PARKING METERS 6AM - 6PM EXCEPT SUNDAYS AND HOLIDAYS |
| 21  | - | 43  | 2105.17 | NO STOPPING 3AM - 6AM WEEKDAYS                             |
| 43  | - | 116 | 2105.17 | NO STOPPING ANYTIME  |
| 116 | - | 186 | 2155.03 | 12 HR PARKING METERS 6AM - 6PM EXCEPT SUNDAYS AND HOLIDAYS |
| 116 | - | 186 | 2105.17 | NO STOPPING 3AM - 6AM WEEKDAYS                             |
| 186 | - | 262 | 2105.17 | NO STOPPING ANYTIME  |

The parking regulations on the 210 foot long block face along the W side of PEARL ST from LAFAYETTE ST extending to SPRING ST shall be

| <u>Range in feet</u> | <u>Code Section</u> | <u>Regulation</u>   |
|----------------------|---------------------|---------------------|
| 0 - 210              | 2105.17             | NO STOPPING ANYTIME |

The parking regulations on the 770 foot long block face along the N side of PETZINGER RD from WEST TERMINUS extending to WATERS EDGE BL shall be

| <u>Range in feet</u> | <u>Code Section</u> | <u>Regulation</u>              |
|----------------------|---------------------|--------------------------------|
| 0 - 730              |                     | (STATUTORY RESTRICTIONS APPLY) |
| 730 - 770            | 2105.17             | NO STOPPING ANYTIME            |

The parking regulations on the 1108 foot long block face along the N side of RICH ST from GRANT AV extending to WASHINGTON AV shall be

| <u>Range in feet</u> | <u>Code Section</u> | <u>Regulation</u>  |
|----------------------|---------------------|--|
| 0 - 52               | 2105.17             | NO STOPPING ANYTIME  |
| 52 - 303             | 2155.03             | 12 HR PARKING METERS 6AM - 6PM EXCEPT SUNDAYS AND HOLIDAYS     |
| 303 - 371            | 2105.17             | NO STOPPING ANYTIME  |
| 371 - 560            | 2155.03             | 12 HR PARKING METERS 6AM - 6PM EXCEPT SUNDAYS AND HOLIDAYS     |
| 560 - 585            | 2155.04             | 12 HR PARKING METER HCP ONLY 6AM - 6PM EXCEPT SUN AND HOLIDAYS |
| 585 - 689            | 2155.03             | 12 HR PARKING METERS 6AM - 6PM EXCEPT SUNDAYS AND HOLIDAYS     |
| 689 - 737            | 2105.17             | NO STOPPING ANYTIME  |
| 737 - 850            | 2155.03             | 12 HR PARKING METERS 6AM - 6PM EXCEPT SUNDAYS AND HOLIDAYS     |
| 850 - 878            | 2105.17             | NO STOPPING ANYTIME  |
| 878 - 899            | 2155.03             | 12 HR PARKING METERS 6AM - 6PM EXCEPT SUNDAYS AND HOLIDAYS     |
| 899 - 981            | 2105.17             | NO STOPPING ANYTIME  |
| 981 - 1069           | 2155.03             | 12 HR PARKING METERS 6AM - 6PM EXCEPT SUNDAYS AND HOLIDAYS     |
| 1069 - 1108          | 2105.17             | NO STOPPING ANYTIME  |

The parking regulations on the 316 foot long block face along the S side of SHELDON AV from SEVENTEENTH ST extending to EIGHTEENTH ST shall be

| <u>Range in feet</u> | <u>Code Section</u> | <u>Regulation</u>              |
|----------------------|---------------------|--------------------------------|
| 0 - 180              | 2151.01             | (STATUTORY RESTRICTIONS APPLY) |
| 180 - 208            | 2105.03             | HANDICAPPED PARKING ONLY       |
| 208 - 286            | 2151.01             | (STATUTORY RESTRICTIONS APPLY) |
| 286 - 316            | 2105.17             | NO STOPPING ANYTIME            |

The parking regulations on the 575 foot long block face along the S side of STEWART AV from BLACKBERRY AL extending to BRUCK ST shall be

| <u>Range in feet</u> | <u>Code Section</u> | <u>Regulation</u>              |
|----------------------|---------------------|--------------------------------|
| 0 - 575              | 2151.01             | (STATUTORY RESTRICTIONS APPLY) |

The parking regulations on the 176 foot long block face along the E side of WILSON AV from KUTCHINS PL extending to FAIR AV shall be

| <u>Range in feet</u> | <u>Code Section</u> | <u>Regulation</u>   |
|----------------------|---------------------|---------------------|
| 0 - 176              | 2105.17             | NO STOPPING ANYTIME |

Any existing traffic restrictions, prohibitions or traffic control devices which conflict with these orders shall be declared null and void and shall be removed.

BY ORDER OF: LINDA K. PAGE, DIRECTOR  
(09/21/02)

**CHANGES IN YOUR 1959 COLUMBUS CITY CODE****ORD1368-02**

To repeal existing Chapters 3101 and 3103 of the Columbus City Code, 1959, and to reorganize existing code language and create new Chapters 3101, 3103, and 3105 in Title 31, "Planning and Platting," to better organize and update the enabling sections of the Planning and Platting Code to be similar to other development related titles and construction, thereby paralleling the Zoning and Building Codes.

WHEREAS, in order to better organize the first two existing chapters of Title 31, "Planning and Platting", by restructuring those existing two chapters, each with multiple themes, into three individually themed chapters; and

WHEREAS, while not changing existing code language, these changes simply reorganize existing code sections, verbatim, into three distinct chapters dealing with the purpose and scope of Title 31, the definitions as used in Title 31, and the powers of the Development Commission; and

WHEREAS, no existing code language is changed, the purpose and scope sections of the new Chapter 3101 is new and was drafted to be parallel and similar to the code language found in the Zoning and Building Codes; and

WHEREAS, these new chapters in the Planning and Platting code model the beginning chapters of ' both the Columbus Zoning and Building codes, and effectively allow the creation of a trilogy of development related code titles that have similar construction to improve and provide for proper enforcement actions and make these codes easier to read and use; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Columbus City Codes, 1959, are hereby supplemented by the enactment of new Chapter 3101, "Purpose, Scope, and Enforcement" consisting of six (6) sections oddly numbered 3101.01 through 3101.99 reading as follows:

**Purpose and Scope****3101.01 Purpose.**

This Planning and Platting Code is enacted to preserve and promote the public health, safety and welfare by means of regulations and restrictions enacted to encourage the orderly growth and development of the city; to provide for adequate light, air, open space and convenience of access; to protect against fire and natural hazards; and to maintain and enhance the value of buildings, structures and land throughout the city.

**3101.03 Scope and application of provisions.**

The provisions of the Planning and Platting Code shall be held to be minimum requirements adopted for the promotion of the public health, safety and welfare and shall be so interpreted and applied. It is not intended by this code to repeal, abrogate, annul or in any way impair or interfere with other laws or ordinances or public or private restrictions placed upon property by covenant, deed or other agreement, except that where the Planning and Platting Code imposes higher or more restrictive standards the provisions of this code shall control.

**3101.05 Severability.**

The provisions of this Planning and Platting Code are considered to be severable; and if a court of competent jurisdiction holds a provision or part of a provision unconstitutional, that decision will not automatically invalidate the remainder of a provision or any other provision or part thereof

**Enforcement****3101.07 Enforcement.**

The Director, or his or her designee, shall have the powers of a police officer for the purpose of enforcement of the provisions of this Planning and Platting Code and may institute any appropriate action or judicial proceeding to prevent the unlawful construction or alteration of any building or structure or the unlawful establishment, change or modification of any use; to restrain, correct or abate such violations; or to prevent occupancy of the unlawful building or structure. Strict liability shall be the standard for enforcement.

**3101.09 Violation.**

A violation of the Planning and Platting Code exists when a person or owner

A. Fails to comply with relevant provisions of requirements of the Planning or Platting Code; or

B. Fails to comply with an order issued by the Director or designee.

**3101.99 Penalties.**

A person, owner, or anyone in their employ who is found guilty of having committed or assisted in the commission of one or more of the violations listed in C.C. 3101.09, may be charged with a separate misdemeanor of the third degree for each day the violation exists in addition to and separate from other penalties provided for by this code. Separate penalties may be imposed for each offense.

Section 2. That the Columbus City Codes, 1959, are hereby supplemented by the enactment of new Chapter 3103, "Definitions" consisting of one (1) section numbered 3103.01:

**3103.01 Definitions.**

For purposes of Title 31, the Planning and Platting Code, the following definitions shall apply:

"Department" when used without clarification means the department of development.

"Director" when used without clarification means the director of the department of development or his or her designee.

Section 3. That the Columbus City Codes, 1959, are hereby supplemented by the enactment of new Chapter 3105, "Development Commission" consisting of two (2) sections oddly numbered 3105.01 and 3105.03 reading as follows:

**3105.01 Development commission— Membership—Terms.**

The development commission, created as the successor to the city planning commission, shall consist of seven (7) regular members and three (3) alternate members who all shall be citizens of the city of Columbus and who shall, while members of the commission, hold no other salaried public office except as specified herein. The regular members shall be appointed by the mayor with the approval of council. The three (3) alternate member shall also be appointed by the mayor with the approval of council. All commission members, except those already employed by the City of Columbus, shall be paid for commission service in accordance with the master salary ordinance. Failure of a regular member to attend seventy-five (75) percent of all regularly scheduled meetings per year, or failure to attend two (2) regularly scheduled meetings in one (1) year without notifying the Development director or such staff person as designated by the director of that member's inability to attend and the need for an alternate member to take the regular member's place and without an excuse acceptable to a majority of the other members of the commission, shall be cause for the revocation of appointment by the mayor with the approval of council. Terms of the citizen members shall be three (3) years. The commission shall annually elect from among the regular membership a chairperson and such other officers as may be appropriate, who shall serve in such capacity for one (1) year or until such time as a successor is elected; such duly elected officers may be re-elected for consecutive terms. Citizens heretofore appointed to the development commission and approved are hereby ratified and confirmed as regular members of the development commission for the balance of the term to which they were originally appointed.

Each alternate member of the development commission shall be on call for all development commission meetings to take the place of a regular member when such regular member cannot attend a meeting. The alternate member shall have all of the powers and responsibilities of the regular member when serving in the place of such regular member.

**3105.03 Functions of development commission.**

The development commission shall have all of the powers, authority and duties granted to it by ordinances of council, and by Section 713.02 of the Ohio Revised Code, to the extent that the same are not in conflict with the Columbus City Codes, the Charter, or with ordinances or resolutions heretofore enacted by council. The development commission, in addition to the duties set forth above, shall serve as an advisory body to the director, and the city council in matters related to the preparation, execution and administration of urban renewal development, rehabilitation and conservation plans.

Section 4. That prior existing Chapter 3101 and Chapter 3103 of the Columbus City Codes, 1959, are hereby repealed.

Section 5. That this ordinance shall take effect and be in force from and after the earliest period provided by law.

Passed September 16, 2002, Matthew D. Habash, President of Council / Approved September 17, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

**TABLE OF CHANGES IN YOUR 1959  
COLUMBUS CITY CODE**

| <b>Code</b>  | <b>Ordinance</b> | <b>2002</b> | <b>Page</b> | <b>Subject</b>  |
|--|------------------|-------------|-------------|---|
| To supplement the Columbus City Codes                                  | 1128-02          | 28          | 1432        | To supplement the Columbus City Codes, 1959, by the enactment of new sections in Chapter 3372, Planning Overlay, in order to create the "High Street: North of Morse Road Planning Overlay" for that portion of the High Street corridor from Morse Road/Rathbone Avenue to the city of Worthington corporate line; and to declare an emergency.  |
| To repeal the Current Chapter 4117                                     | 1092-02          | 29          | 1488        | To repeal the current Chapter 4117 and amend Sections 3381.18, 4114.515, 4114.707 and 4114.931 of the Columbus City Codes, 1959, by replacing current Chapter 4117 - "Certificate of Occupancy" with a revised version which correctly reflects the new "One-Stop-Shop" initiative changes including changes in the Ohio Building Code, and to make necessary corrections in specific Sections of Chapters 3381 and 4114.                 |
| To amend various Chapters  | 1182-02          | 29          | 1491        | To amend various Chapters of the Columbus City Codes, 1959, by allowing the Director of Public Service to utilize the standards for multi-way stop applications as provided in either the Ohio Manual of Uniform Traffic Control Devices for Streets and Highways, or the Federal Manual of Uniform Traffic Control Devices; and to declare an emergency.   |
| To repeal Columbus Building Code sections 4125.43 & 4127.70            | 1093-02          | 29          | 1492        | To repeal Columbus Building Code sections 4125.43 and 4127.70 in order to remove the requirement that in-sink food waste grinders, commonly referred to as garbage disposal units, be installed in all new residential kitchens or as part of a major remodeling.   |
| To supplement the Columbus City Codes                                  | 1094-02          | 29          | 1493        | To supplement the Columbus City Codes, 1959, with the addition of Section 3372.690 in order to create an Urban Commercial Overlay (UCO) district along portions of South Front Street and South High Street.  |
| To revise Chapter 3372   | 1095-02          | 29          | 1495        | To revise Chapter 3372 (Urban Commercial Overlay) of the Columbus City Codes by adoption of new Sections 3372.601, 3372.603, 3372.605, 3372.607, 3372.609, 3372.611, 3372.613 and 3372.615.   |
| To amend Section 3101.01   | 2279-01          | 29          | 1497        | To amend Section 3101.01 of the Columbus City Codes, 1959, to change the composition of the Development Commission by eliminating the Public Service Director as the seventh member; to allow the Mayor to appoint, with the approval of City Council, all qualified regular and alternate members of the Commission without regard to occupation or employer; and to declare an emergency.   |
| To amend the Columbus City Codes                                       | 1145-02          | 29          | 1498        | To amend the Columbus City Codes, 1959, by increasing the penalty for speeding in a school zone from a minor misdemeanor to a 4th degree misdemeanor, with a mandatory court appearance and a maximum fine \$250; and to make the Code consistent with the Ohio Revised Code; and to declare an emergency.  |
| To supplement the Columbus City Codes                                  | 1143-02          | 30          | 1561        | To supplement the Columbus City Codes, 1959, by amending C.C. 3303, 3351, 3353, and 3355 to: standardize the definition of dwelling unit among three different codes; augment the definition of hotel and motel; clarify where dwelling units may be constructed in commercial districts; update terminology and make language and grammatical changes.   |
| To supplement and amend various sections of the Columbus Building Code | 1144-02          | 30          | 1569        | To supplement and amend various sections of the Columbus Building Code, Title 41, in order to allow for the registration of all general contractors responsible for all work on multi-family, commercial, industrial and institutional structures as governed by the Ohio Basic Building Code (OBC) as well as all new one, two, and three family dwellings for a flat fee as already prescribed in the Building Services Fee Schedule.   |
| To establish new chapter 1934 of the Columbus City Codes               | 1183-02          | 30          | 1584        | To establish new chapter 1934 of the Columbus City Codes, 1959, thereby establishing the authority to assess and collect an emergency medical services reimbursement fee.   |
| To repeal ordinance 1128-02  | 1335-02          | 31          | 1686        | To repeal ordinance 1128-02 in order to correct a numbering conflict in Chapter 3372 and to supplement the Columbus City Codes, 1959, by the enactment of new sections in Chapter 3372, Planning Overlay, in order to create the "High Street: North of Morse Road Planning Overlay" for that portion of the High Street corridor from Morse Road/Rathbone Avenue to the city of Worthington corporate line; and to declare an emergency. |
| To enact new Chapter 373   | 0754-02          | 31          | 1689        | To enact new Chapter 373 of the Columbus City Codes, 1959, to provide for an excise tax upon the short-term rental of passenger vehicles and to provide for administration and collection of the tax by the City Auditor.   |
| To repeal existing Chapters 3101 and 3103                              | 1368-02          | 38          | 1768        | To repeal existing Chapters 3101 and 3103 of the Columbus City Code, 1959, and to reorganize existing code language and create new Chapters 3101, 3103, and 3105 in Title 31, "Planning and Platting," to better organize and update the enabling sections of the Planning and Platting Code to be similar to other development related titles and construction, thereby paralleling the Zoning and Building Codes.                       |